



METROPOLITAN SERVICE DISTRICT
527 S.W. HALL ST., PORTLAND OR. 97201, 503/221-1646

A G E N D A - REGULAR COUNCIL MEETING

Date: December 18, 1980

Day: Thursday

Time: 7:30 p.m.

Place: Council Chamber

CALL TO ORDER

1. INTRODUCTIONS
2. WRITTEN COMMUNICATIONS TO COUNCIL
3. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS
4. CONSENT AGENDA
 - 4.1 A-95 Review
 - 4.2 Minutes of November 20, 1980
 - 4.3 Contracts
5. ORDINANCE
 - 5.1 PUBLIC HEARING on Ordinance No. _____, An Ordinance Rescinding the Johnson Creek Basin Local Improvement District and Repealing Ordinance No. 80-91 (First Reading) (7:35)
6. RESOLUTIONS
 - 6.1 Resolution No. 80-204, For the Purpose of Acknowledging the East Multnomah County Sewer Consortium Study as Complying with the Regional Waste Treatment Management Plan (8:05)
 - 6.2 Resolution No. 80-205, Authorizing Interstate Transfer Funds for the 82nd Avenue Improvement Project (8:20)
 - 6.3 Resolution No. 80-206, Authorizing Federal Aid Primary Funds for a Signal at Mt. Hood Highway and Birdsdales Avenue (8:35)

- 6.4 Resolution No. 80-207, Amending the FY 1981 Transportation Improvement Program (TIP) to include Tri-Met's Special Efforts Program for the Handicapped (8:50)
- 6.5 Resolution No. 80-208, For the Purpose of Concurring in the Designation of the Clark County Public Transportation Benefit Area as the Section 5 Recipient (9:05)
- 6.6 Resolution No. 80-209, For the Purpose of Amending the FY79 and FY80 Unified Work Program (9:20)
- 6.7 Resolution No. 80-210, For the Purpose of Recommending a Continuance of the City of Happy Valley's Request for Acknowledgment of Compliance with LCDC Goals (9:35)
- 6.8 Resolution No. 80-211, For the Purpose of responding to comments made in the FY1980 Audit Report (9:50)

7. MOTION

- 7.1 Appointments to the Water Resource Policy Alternatives Committee (WRPAC) (10:05)

8. REPORTS

- 8.1 Presentation by Councilor Peterson (10:15)
- 8.2 Report on Waste Reduction Plan and Portland Recycling Team (10:30)
- 8.3 Executive Officer Report (10:45)
- 8.4 Committee Reports (10:55)

9. GENERAL DISCUSSION (11:10)

ADJOURN



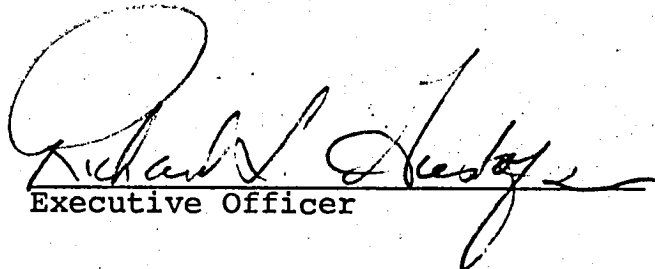
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C O N S E N T A G E N D A

The following business items have been reviewed by the staff and an officer of the Council. In my opinion, these items meet the Consent List Criteria established by the Rules and Procedures of the Council.


Executive Officer

4.1 A-95 Review

Action Requested: Concur in staff findings

4.2 Minutes of November 20, 1980

Action Requested: Approve minutes as circulated

4.3 Contracts

Action Requested: Approve execution of contracts

DIRECTLY RELATED A-95 PROJECT APPLICATIONS UNDER REVIEW

PROJECT DESCRIPTION	FEDERAL \$	STATE \$	LOCAL \$	OTHER \$	TOTAL \$
<p>1. <u>Project Title:</u> Sewage Treatment Feasibility Study - Facilities Plan (#811-8)</p> <p><u>Applicant:</u> Multnomah County Sewer Consortium</p> <p><u>Project Summary:</u> Proposal to undertake a revised "201" Facilities Planning Grant to investigate the alternatives for independent expansion of the three existing treatment plants in Inverness, Troutdale and Gresham. The study will also evaluate the potential of regional administration, operation, sludge disposal and finance for the three independent plants.</p> <p><u>Staff Recommendation:</u> Favorable Action</p>	<p>\$220,000 (EPA)</p>		<p>\$ 80,000</p>		<p>\$300,000</p>



METROPOLITAN SERVICE DISTRICT
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MEMORANDUM

Date: December 18, 1980
To: Metro Council
From: Executive Officer
Regarding: A-95 Review Report

The following is a summary of staff responses regarding grants not directly related to Metro programs.

1. Project Title: FY 1981 Energy Crisis Intervention Program (#810-8)
Applicant: Washington County Community Action Organization
Project Summary: The program will provide advocacy and organizing assistance to the poor and near poor to assure their interests are represented with fuel and utilities lenders and before legislative bodies. The program will also mobilize volunteers to gather donated goods and will coordinate with other groups concerned about the energy needs of the poor.
Federal Funds Requested: \$42,000, Community Services Administration
Staff Response: Favorable Action
2. Project Title: Occupational Health Program Within a Health Maintenance Organization (#810-9)
Applicant: Kaiser Foundation Hospitals, Health Services Research Center
Project Summary: The applicant has proposed a three-year demonstration program to evaluate the effectiveness of a preventive medicine program in industry. The program will employ the resources of a federally qualified Health Maintenance Organization (HMO) and a large multi-disciplinary research center. It will be directed toward industries in which muscular-skeletal injuries of the neck and back play a significant role in loss of productivity. In addition, the program is designed to contribute to the development of an ongoing occupational health program and related research in the HMO context.
Federal Funds Requested: \$639,922, Department of Health and Human Services, Public Health Service
Staff Response: Favorable Action

3. Project Title: University Park Rehabilitation Project (#811-1)
Applicant: City of Portland
Project Summary: The project will completely rehabilitate the University Park Center in North Portland. The center, which was constructed as a temporary World War II housing project, will continue being used as a neighborhood recreation facility after renovation.
Federal Funds Requested: \$378,000, Department of the Interior, Heritage Conservation and Recreation Service
Staff Response: Favorable Action
4. Project Title: Palmberg Property Acquisition (#811-2)
Applicant: Department of Transportation, State Parks Division
Project Summary: Project will involve acquiring 148 acres of land with approximately 3,600 feet of frontage on Multnomah Slough and 1,700 feet of frontage on the lower Columbia River Highway. The property is located about two miles downstream from the Sauvies Island Bridge and is to be used as Willamette Greenway open space with little or no development anticipated.
Federal Funds Requested: \$155,500, Department of the Interior, Heritage Conservation and Recreation Service
Staff Response: Favorable Action
5. Project Title: Northeast Community Action Program (#811-3)
Applicant: Urban League of Portland
Project Summary: Application requesting funding for 1981 general programming. Program activities include providing needed social services to neighborhood and community groups in northeast Portland, providing information and referral services to target area residents, educating the community and decision-makers on the needs of low-income citizens and promoting institutional change.
Federal Funds Requested: \$180,000, Community Services Administration
Staff Response: Favorable Action
6. Project Title: Statewide CETA Programming (#811-4)
Applicant: Oregon Employment Division
Project Summary: Statewide program which provides for supplemental vocational education assistance; coordination and linkages between prime sponsors and appropriate educational agencies and institutions; operation of the Governor's coordination and special services activities, support to the Oregon State Employment and Training Council; coordination between state and local institutions

to improve occupational and career guidance/counseling activities for youths.
Federal Funds Requested: \$3,891,507, Department of Labor, Employment and Training Administration
Staff Response: Favorable Action

7. Project Title: FY 1981 Energy Crisis Intervention Program (#811-5)
Applicant: Clackamas County Community Action Agency
Project Summary: Program to assure that the Health and Human Services (HHS) Low-Income Energy Assistance Program (LIEAP) and other energy networks are responsive to the needs of the poor; will provide crisis intervention services not available through LIEAP to lessen the impact of high energy costs. The program will also develop local planning capability to deal with energy issues and the poor.
Federal Funds Requested: \$30,000, Community Services Administration
Staff Response: Favorable Action

8. Project Title: Head Start Program (#811-6)
Applicant: Albina Ministerial Alliance, Child Development Center
Project Summary: FY 1981 program funding for the Child Development Center which provides a full-day Head Start program that serves 200 low-income, 3-4 year old children and their families. Six of the classrooms are located in northeast Portland, one in North Portland and four in southeast. Children receive free meals, dental examinations, vision and hearing screening.
Federal Funds Requested: \$498,171, Health and Human Services
Staff Response: Favorable Action

MINUTES OF THE COUNCIL
OF THE METROPOLITAN SERVICE DISTRICT

November 20, 1980

Councilors in Attendance

Presiding Officer Marge Kafoury
Vice Presiding Officer Jack Deines
Coun. Gene Peterson
Coun. Mike Burton
Coun. Bob Oleson
Coun. Charles Williamson
Coun. Craig Berkman
Coun. Corky Kirkpatrick
Coun. Jane Rhodes
Coun. Betty Schedeen
Coun. Ernie Bonner

Others in Attendance

Beth Blunt
R.W. Blunt, Jr.
Phil Adamsak
Tom Dennehy
Loren Kramer
Marge Schmunk
Bob Weil
Dick Gallaher
Peter Cass
Tom Matoff
Ed Murphy

In Attendance

Executive Officer Rick Gustafson

Staff in Attendance

Denton Kent
Andrew Jordan
Leigh Zimmermann
Michael Holstun
Andrew Cotugno
Judy Bieberle
Merle Irvine
Tom O'Connor
Sue Klobertanz
Michele Wilder
Marilyn Holstrom
Jim Sitzman
Jill Hinckley
Caryl Waters
Michael Butts
Sonnie Rossill
Berta Delman
Cynthia Wichmann

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CALL TO ORDER

After declaration of a quorum, the meeting was called to order by Presiding Officer Marge Kafoury at 7:45 p.m. in the Council Chamber, 527 S.W. Hall Street, Portland, Oregon 97201.

1. INTRODUCTIONS

There were no introductions at this meeting.

2. WRITTEN COMMUNICATIONS TO COUNCIL

Coun. Kafoury read a letter to the Council from Rick Daniels, City of Gresham, expressing their appreciation of the assistance of Metro staff and Council in obtaining acknowledgment of plan compliance from LCDC.

3. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

Mr. Loren Kramer, speaking as a board member for the Portland Recycling Team, reported that the agency was experiencing serious financial difficulty and asked for an opportunity to discuss the matter with the Regional Services Committee in an effort to find solutions to the problem. He then responded to questions from Council. Following discussion, it was agreed that the matter should be referred to the Regional Services Committee for consideration at their December 9th meeting.

Mr. Dick Gallaher read a prepared statement (copies of which were distributed to the Council) concerning the controversy over the Housing Goals and Objectives, and made suggestions for resolving the problem.

4. CONSENT AGENDA

Coun. Kirkpatrick moved, seconded by Coun. Deines, that the Consent Agenda be approved as distributed. A vote was taken on the motion. All Councilors present voting aye, the motion carried.

5. RESOLUTIONS

- 5.1 Resolution No. 80-200, For the Purpose of Endorsing Tri-Met's Five-Year Transit Development Program (TDP) and Amending the Transportation Improvement Program (TIP)

Coun. Bonner reported that both JPACT and the Regional Planning Committee recommended approval of this resolution and moved, seconded by Coun. Schedeen, that Res. No. 80-200 be adopted.

Messrs. Peter Cass and Tom Matoff, representing Tri-Met, made a brief presentation describing the plan's goals and the programs designed to attain their objectives.

Following discussion, a vote was taken on the motion. All Councilors present voting aye, the motion carried.

5.2 Resolution No. 80-199, For the Purpose of Endorsing an Urban Initiatives Grant Application for Pioneer Square and Amending the Transportation Improvement Program (TIP)

Coun. Bonner explained that JPACT was introducing this resolution endorsing limited transportation-related improvements for Pioneer Square and moved, seconded by Coun. Williamson, that Res. No. 80-199 be adopted.

A vote was taken on the motion. All Councilors present voting aye, the motion carried.

5.3 Resolution No. 80-198, For the Purpose of Appointing an Agent of Record for Casualty and Liability Insurance

Presiding Officer Kafoury announced that this item had been postponed to the December 4 meeting in order to give the Coordinating Committee an opportunity to make a recommendation.

5.4 Resolution No. 80-201, Approving and Authorizing the Position of Solid Waste Public Involvement Coordinator

Coun. Deines summarized the intent and budget impact of this action and moved, seconded by Coun. Rhodes, that Res. No. 80-198 be adopted.

A vote was taken on the motion. All Councilors present voting aye, the motion carried.

5.5 Resolution No. 80-196, For the Purpose of Recommending a Continuance of the City of Troutdale's Request for Compliance with the LCDC Goals

Coun. Schedeen moved, seconded by Coun. Williamson, that Res. No. 80-196 be adopted.

Mr. Ed Murphy and Ms. Marge Schmunk, representing the City of Troutdale, reported that the City was willing to accept the recommendation for continuance, though they did not necessarily agree with all Metro staff comments. They presented a brief history of the growth and development of their community and described the development of their comprehensive plan and implementation tools.

Following discussion, a vote was taken on the motion. All Councilors present voting aye, the motion carried.

5.6 Resolution No. 80-189, For the Purpose of Amending the By-Laws of the Housing Policy Alternatives Committee

Coun. Bonner moved, seconded by Coun. Peterson, that Res. No. 80-189 be adopted, and outlined the proposed amendments to the HPAC By-Laws and their effect on the composition of the Committee.

Explaining that some changes had been suggested subsequent to Regional

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Planning Committee consideration of this issue, Coun. Bonner then moved, seconded by Coun. Deines, that the HPAC By-Laws be further amended as follows:

- a) On page 3 of the By-Laws, under NON-VOTING EX OFFICIO, add "a representative of the criminal justice field."
- b) On page 3 of the By-Laws, Section 2(a), the second sentence should be changed to read "The Presiding Officer shall select cities for membership on the committee, and each member appointed to represent CITIES AND COUNTIES shall be officially designated by the elected executive officer of the jurisdiction he represents."

Discussion focused on the propriety of the Presiding Officer selecting cities for membership without a requirement to consult with affected parties.

Following discussion, a vote was taken on the motion. Voting aye were Couns. Bonner, Berkman, Deines, Oleson and Williamson; voting no were Couns. Burton, Kirkpatrick, Kafoury, Peterson, Rhodes and Schedeen. The motion failed.

Coun. Kirkpatrick moved, seconded by Coun. Schedeen, that Section 2(a) of the HPAC By-Laws be amended by adding a sentence that would specify that the CITY representatives to HPAC shall be nominated by the Local Officials Advisory Committee. A vote was taken on the motion. All Councilors present voting aye, the motion carried.

Coun. Rhodes registered a vigorous protest to reorganization of HPAC at this time, arguing that all committees should receive the same treatment, and that action should be postponed until after the public involvement workshop in January.

Coun. Rhodes moved, seconded by Coun. Kirkpatrick, that the motion to adopt Res. No. 80-189 be tabled. A vote was taken on the motion. Couns. Kirkpatrick and Rhodes voted aye; all other Councilors present voting no, the motion failed.

Coun. Kirkpatrick moved, seconded by Coun. Deines, that on page 2 of the By-Laws, MEMBERSHIP FOR CITIES AND COUNTIES be amended to read: "One representative each from: Clackamas County, Cities of Clackamas County, Multnomah County, Remaining Cities of Multnomah County, Washington County, Portland, Cities of Washington County." The effect of this action would be to increase membership on the committee by one.

Following discussion, a vote was taken on the motion. All Councilors present voting aye, the motion carried.

Mr. Sitzman reported that Clark County had requested that they be retained on the committee in an ex officio capacity.

Coun. Kirkpatrick moved, seconded by Coun. Peterson, to amend the HPAC By-Laws by adding Clark County to the NON-VOTING EX OFFICIO members listed on page 3. A vote was taken on the motion. All

Councilors present voting aye, the motion carried.

A vote was then taken on the motion to adopt Res. No. 80-189. Coun. Rhodes voted no; all other Councilors present voting aye, the motion carried.

5.7 Resolution No. 80-202, Instructing Staff to Charge "Compacted Rates" for Drop Box Loads Which Have Been Mechanically Processed

Coun. Rhodes summarized the background of this item and moved, seconded by Coun. Schedeen, that Res. No. 80-202 be adopted.

At Coun. Berkman's request, Mr. Irvine elaborated on the situation, describing in particular the sequence of events connected with determining that violations were taking place.

Following discussion, a vote was taken on the motion. All Councilors present voting aye, the motion carried.

6. MOTIONS

6.1 Ratifying Council Appointments to Trustees of Friends of the Washington Park Zoo

Presiding Officer Kafoury recommended that the Council ratify appointment of Couns. Oleson and Kirkpatrick to the Board of Trustees of the Friends of the Washington Park Zoo.

Coun. Rhodes, seconded by Coun. Deines, so moved. A vote was taken on the motion. All Councilors present voting aye, the motion carried.

Ratifying Appointment to SWPAC

Coun. Rhodes reported that the City of Portland had asked that appointment of Robert Reick as their representative on the Solid Waste Policy Alternatives Committee be ratified and moved, seconded by Coun. Deines, that Council ratify Mr. Reick's appointment. A vote was taken on the motion. All Councilors present voting aye, the motion carried.

7. REPORTS

7.1 Executive Officer Report

Executive Officer Gustafson's report covered the following topics:

- 1) Mr. Paul Romain has been appointed to the Board of Trustees of the Friends of the Washington Park Zoo.
- 2) Discussions are underway concerning finance options for Metro.
- 3) Development of the FY 1982 budget has begun, with a Council Retreat on that subject scheduled for January 10.

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- 4) Results of elections in other areas of the country which involved regional issues were reported.
- 5) Results of the Metro tax base election were discussed. A precinct analysis would be done, as well as a volunteer random survey.

Washington County Initiative Petition - Ballot Measure #11

Mr. Jordan described the potential impact of passage of this measure, explaining that it attempted to take exception to LCDC Goal 3 on grounds of prior commitment. He expressed the opinion that provisions in the measure violated LCDC Goals 2, 4, and possibly 14, and reported that two parties (1000 Friends of Oregon and the League of Women Voters) were appealing the petition to LUBA and had asked Metro to join the appeal. He then described the various options open to Metro.

Following discussion, the Council referred the matter to the Coordinating Committee.

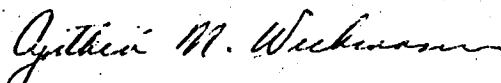
7.2 Committee Reports

Bi-State Task Force - Coun. Burton reported that the Task Force had received a copy of WDOT's draft study of options for improving I-5 north corridor congestion problems. He briefly outlined the four options considered, and the Task Force's reaction to the draft.

Regional Services Committee - Coun. Rhodes reported on the status of the Solid Waste Reduction Plan and outlined the schedule for consideration and hearings on various elements of the Plan.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Cynthia M. Wichmann
Clerk of the Council

A G E N D A M A N A G E M E N T S U M M A R Y

TO: Council Coordinating Committee
 FROM: Executive Officer
 SUBJECT: Approving Portland Transit Mall Impact Study Contract, 1)
 Metro/Portland State University (PSU) - Center for Urban
 Studies (CUS)

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Approval for Metro to enter into a contract with PSU-CUS to undertake work on the Portland Transit Mall Impact Study contingent upon Urban Mass Transportation Administration (UMTA) approval of PSU-CUS as a sole-source contract recipient. (A sole-source contract may be let under federal regulations to a provider who has unique capability and the sole qualification to perform the tasks required in the contract without the need to use the bidding process.)
- B. POLICY IMPACT: The study will provide information useful in considering other mall developments by jurisdictions in the Metro area and elsewhere. In addition, the study will update information on conditions in the mall at certain points in time and provide a baseline for evaluation for light rail impacts. This contract supports the Five Year Operational Plan Program of Planning Coordination.
- C. BUDGET IMPACT: Metro's contract with PSU-CUS will authorize PSU-CUS personnel and material and services expenditures of \$95,200 for FY 1980 and FY 1981.

These costs will be covered by revenues provided entirely by UMTA, with no local Metro dollars required.

II. ANALYSIS:

- A. BACKGROUND: The study involves an investigation by the PSU-CUS, in cooperation with local agencies, coordinated by Metro, of the impacts of the Portland Transit Mall.

The study will evaluate the travel, economic, land use and environmental impacts of the transit mall.

On May 22, 1980, the Metro Council adopted the FY 1981 Unified Work Program (UWP) which included this program and gave Metro responsibility of managing it.

The study will include interviews with key actors in the transit mall project to identify major barriers and facilitators involved in the planning, development and construction of the mall.

Under the contract PSU-CUS will be responsible for 1) the questionnaire design, sampling procedures, collection of data, analysis of data and the preparation of a report for an employee survey, 2) conduct interviews with business leaders, developers and financial persons and develop a report on the planning and implementation process of the Portland Transit Mall, and 3) supervise work by an appraiser consultant on appraisals of before and after land values and incorporating that work with the business leaders interviews to estimate private investment stimulated by the public investment in the mall.

Research will be done through the collaboration of Tri-Met, Planning Bureau of Portland and PSU-CUS. Metro will monitor the study and manage the grant.

The Portland Transit Mall Impact Study will interface well with other Metro work items, since the transit mall is the focal point of the proposed East and Westside Light Rail Transit lines as well as the Center for the current regional transit system.

- B. ALTERNATIVES CONSIDERED: The alternatives of each agency or PSU-CUS doing a study was explored, resulting in a decision that this would lead to unnecessary fragmentation and expense.
- C. CONCLUSION: Metro's contract with PSU-CUS is recommended to assure timely completion of the study.

TC:ss
1298B/188

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE RESCINDING THE	)	ORDINANCE NO.
JOHNSON CREEK BASIN LOCAL IMPROVE-)	
MENT DISTRICT AND REPEALING	)	Introduced by the
ORDINANCE NO. 80-91	)	Regional Services Committee

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. Purpose

(a) The Council finds that application of local improvement district (LID) procedures to the Johnson Creek Basin has been inappropriate and ineffective in the solution of flooding in that basin.

(b) Though the Council intends to continue its pursuit of a solution to the Johnson Creek problem, the LID adopted by Ordinance No. 80-91 has been unsuccessful in providing such solution.

Section 2. Repeal

Ordinance No. 80-91, June 27, 1980, is hereby repealed.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of January, 1981.

Presiding Officer

ATTEST:

Clerk of the Council

AJ/gl
1362B/188

A G E N D A M A N A G E M E N T S U M M A R Y

TO: Regional Planning Committee
FROM: Executive Officer
SUBJECT: Acknowledging the East Multnomah County Sewer Consortium
Study as Complying with the Regional Waste Treatment
Management Plan

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Recommend Council adoption of Resolution for the purpose of Acknowledging the East Multnomah County Sewer Consortium Study as Complying with the Regional Waste Treatment Management Plan.
- B. POLICY IMPACT: The adopted "208" plan mandates that alternatives be analysed for disposal facilities in the East Multnomah County area. The East Multnomah County Sewer Consortium Study was conducted in accordance with that mandate (see Article V, Section 1(A)(2)(a)(IV)) of the Regional Waste Treatment Management Plan adopted on October 2, 1980, by Metro Ordinance No. 80-102.

The action requested is consistent with the procedures outlined in the "208" Regional Waste Treatment Management Plan and does not conflict with the adopted Five Year Operational Plan.

- C. BUDGET IMPACT: None

II. ANALYSIS:

- A. BACKGROUND: In 1975, the Columbia Region Association of Governments (CRAG) initiated an extensive Areawide Waste Treatment Management Study for the Portland metropolitan area, which was financed in part through a Section "208" Planning Grant from the U.S. Environmental Protection Agency. In July, 1978, CRAG adopted the Regional Waste Treatment Management Plan developed under this study. In the Planning Process (Volume 2 of the Plan) all of the various options and combinations for waste treatment were analyzed by service region using the following criteria:

- . Cost: capital, operating and maintenance costs through year 2000;
- . Implementability: with regard to required institutional and management arrangements;
- . Environmental Impact: receiving water quality as well as construction-related impacts;

- . Reliability: ability to consistently meet water quality standards;
- . Flexibility: ability to adapt to changing conditions of growth patterns, operational requirements, etc.;
- . Energy Consumption: all alternatives considered were net energy producers, some are more energy efficient than others.

In the Columbia Service District (plants discharging to the Columbia River), the final analysis was inconclusive. Option #7, which recommended a regional plant at Gresham and the abandonment of the Inverness and Troutdale plants, was slightly favored. Because this analysis was inconclusive a more detailed investigation, as part of a "201" Facilities Planning Study, was recommended.

The three management agencies involved, Multnomah County, Gresham and Troutdale, formed a Consortium and applied for a "201" planning grant as the "208" plan recommended. Delays and cutbacks in the "201" grant program and the prospect of a building moratorium in the study area prompted the Consortium to begin the study with local funds. The study, prepared by Lee Engineering, Inc., is the result of this effort.

- B. **ALTERNATIVES CONSIDERED:** As required by the "208" plan, the Consortium Study evaluated the regional alternative (expansion of the Gresham Treatment Plant to serve the entire area) vs. individual expansion of the three existing plants (Gresham, Troutdale and Inverness). The study concentrated on the economic factors, capital as well as operation and maintenance costs, of each alternative. Three analysis methods were used and in each case, the difference in cost between alternatives was less than the accuracy of the analysis method. Because of this, Metro staff re-evaluated the options against the other criteria considered in the "208" plan.
- C. **CONCLUSION:** The cost advantage of one alternative over the other is not apparent from the analysis performed and differs according to the methodology employed. When cost is ignored, and the alternatives are evaluated against the other criteria, the independent expansion alternative is definitely favorable (see Table 1 in Exhibit A).

These facts were considered by the Water Resources Policy Alternatives Committee (WRPAC) in unanimously passing the following recommendation:

"It is recommended that the Consortium Study be accepted as partial compliance with [the "208"] mandate and that the Scope

of Work for the Consortium "201" Study be revised. In addition to the feasibility analysis of each individual plant expansion, the potential for regional administration, operation, sludge disposal and finance should be included in this study."

JL:bb
760B/135

FOR THE PURPOSE OF ACKNOWLEDGING)
THE EAST MULTNOMAH COUNTY SEWER)
CONSORTIUM STUDY AS COMPLYING WITH)
THE REGIONAL WASTE TREATMENT)
MANAGEMENT PLAN)

RESOLUTION NO. 80-204

Introduced by the Regional
Planning Committee

WHEREAS, Metro has been designated by the Governor of the state of Oregon as the Areawide Waste Treatment Management Planning Agency for the Portland metropolitan region; and

WHEREAS, Metro has adopted a Regional Waste Treatment Management Plan by Ordinance No. 80-102; and

WHEREAS, The Regional Waste Treatment Management Plan required an investigation of the regional alternative for providing sewerage facilities in the Inverness, Troutdale, Gresham Treatment System Study Area, in accordance with Article V, section 1, (A)(2)(a)(iv) of the Regional Plan Text; and

WHEREAS, The East Multnomah County Sewer Consortium has evaluated the capital, operating and maintenance costs of the regional alternative against the independent expansion of the existing sewage treatment plants in the region; and

WHEREAS, The cost differences related to capital facilities between the two alternatives were found to be insignificant in both the East Multnomah County Sewer Consortium Study and the earlier "208" Study conducted by the Columbia Region Association of Governments (CRAG); and

WHEREAS, The independent expansion alternative was found to be superior according to the other criteria of Implementability, Environmental Impact, Reliability, Flexibility and Energy Consumption; now, therefore,

BE IT RESOLVED,

1. That the East Multnomah County Sewer Consortium Study be accepted in partial compliance (capital facilities) with the "208" Plan requirement to evaluate regional treatment alternatives for the Troutdale, Gresham, Inverness Treatment System Study Area.

2. That the Work Plan for the Consortium "201" Facilities Planning Grant be revised to investigate only the alternatives for independent expansion of the three existing treatment plants, Inverness, Troutdale and Gresham.

3. That an additional Work Plan task be added to the Consortium "201" Feasibility Study to evaluate the potential of regional administration, operation, sludge disposal and finance for the three independent plants.

4. That the Executive Officer forward a copy of this Resolution, and the Staff Report attached hereto as Exhibit "A," to the Department of Environmental Quality (DEQ), the Environmental Protection Agency (EPA) and affected local agencies for appropriate action.

JL:bb
761B/135

A G E N D A M A N A G E M E N T S U M M A R Y

TO: Metro Council
 FROM: Executive Officer
 SUBJECT: Authorizing Interstate Transfer Funds for the 82nd Avenue Improvement Project

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Adopt the attached Resolution which authorizes \$1,440,750 in I-505 Interstate Transfer funds to improve 82nd Avenue between NE Russell Street and SE Crystal Springs Blvd.
- B. POLICY IMPACT: This action will amend the Transportation Improvement Program (TIP) and enable the City of Portland to initiate preliminary engineering. Allocation of federal transportation funding is consistent with the Five Year Operational Plan. TPAC and JPACT have reviewed and approved this project.
- C. BUDGET IMPACT: The City of Portland has an adequate balance in its Reserve Account to fund this project. The approved Metro budget includes funds to monitor federal funding commitments.

II. ANALYSIS:

- A. BACKGROUND: The City of Portland, together with the Citizens' Advisory Committee and Technical Advisory Committee for the 82nd Avenue Corridor Study, have identified a series of improvements for this Corridor. The 82nd Avenue Recommended Action Plan resulting from the study was adopted by the City Council in August, 1980.

The improvements consist of installing: 1) a dry well drainage disposal system along 82nd Avenue between NE Russell and Hancock and between the SE Powell Blvd. and SE Foster Road sections which currently flood during heavy rain storms; 2) construction of 10-foot combination curb and sidewalks with street trees between SE Division and Holgate on the eastside, between Powell and Rhone on the westside, between SE Glenwood and Crystal Springs Blvd. on the eastside and between SE Duke and Crystal Springs Blvd. on the westside (the new combination curb and sidewalk will be constructed 30 feet from the center line); 3) installation of a left turn indication on the signal at the 82nd and SE Division Street intersection.

- B. ALTERNATIVES CONSIDERED: Many design alternatives were considered in the study including a "Do Nothing." The proposed design and improvements were selected based on

offering maximum benefits in the form of:

- . Existing setback requirements, in effect for over 20 years, have resulted in most buildings, walls, fences and signs being located so they will not be damaged by this widening.
- . Improved pedestrian access to businesses and services on 82nd Avenue.
- . Safety will be improved due to elimination of flooded roadway sections, physical separation of traffic and pedestrians, and provisions for left turns at Division (the most dangerous intersection in the City in terms of accidents in 1978 and 1979).
- . Drainage currently goes to dry wells. Drainage project will consist of improving dry well system to absorb water more rapidly than it does now.

C. CONCLUSION: Metro staff recommends approval of the attached Resolution.

BP:ss
1144B/188

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING	)	RESOLUTION NO. 80-205
INTERSTATE TRANSFER FUNDS FOR)	
THE 82ND AVENUE IMPROVEMENT	)	Introduced by the Joint
PROJECT	)	Policy Advisory Committee
	)	on Transportation

WHEREAS, The Metro Council previously adopted Resolution No. 80-186 which endorsed the FY 81 Transportation Improvement Program (TIP); and

WHEREAS, The City of Portland has requested that a new project be added to the TIP; and

WHEREAS, This project will cover a series of improvements on 82nd Avenue as set forth in the 82nd Avenue Recommended Action Plan recently adopted by the City Council; and

WHEREAS, This project will utilize I-505 Interstate Transfer funds in the amount of \$1,440,750 (federal); and

WHEREAS, These funds are currently available in the City Reserve Account; and

WHEREAS, The Metro Systems Planning Analysis indicates that the project will lead to solutions to identified transportation objectives set forth in Exhibit "A"; now, therefore,

BE IT RESOLVED,

1. That \$1,440,750 of I-505 Interstate Transfer funds be authorized from the City of Portland's Reserve Account to conduct the 82nd Avenue Improvement Project.

2. That the TIP and its Annual Element be amended to reflect this authorization as set forth in Exhibit "B."

3. That the Metro Council finds the project in accordance with the region's continuing, cooperative, comprehensive planning process and, hereby, gives affirmative A-95 Review approval.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of December, 1980.

Presiding Officer

BP:ss
1145B/188

EXHIBIT "A"

Systems Report for 82nd Avenue Improvement Project
between NE Russell Street and SE Crystal Springs Blvd.

Objective

To improve traffic circulation and to improve public safety by eliminating hazardous conditions on 82nd Avenue.

Approach

The 82nd Avenue Study determined that the objectives could be met by installing improved dry wells in the two sections which currently flood on a regular basis, by acquiring right of way and installing sidewalks where relatively high pedestrian traffic demand exists, landscaping, and providing left turn lanes and signal indications at 82nd and Division (the highest accident intersection in the City in 1978 and 1979).

Anticipated Results

The proposed improvements in conjunction with the opening of I-205 and the subsequent anticipated reduction in traffic on 82nd Avenue should substantially reduce congestion, accidents and pedestrian conflicts on 82nd Avenue.

PROJECT INFORMATION FORM - TRANSPORTATION IMPROVEMENT PROGRAM

PORTLAND-VANCOUVER
METROPOLITAN AREA

PROJECT DESCRIPTION
 RESPONSIBILITY (AGENCY) City of Portland
 LIMITS NE Russell Street to Crystal Springs Blvd. LENGTH 5.5 miles
 DESCRIPTION Improve 82nd Avenue by acquiring right-of-way, constructing sidewalks, and curbs where needed (landscaping), improving storm drainage facilities, and a left turn phase at the existing signal at 82nd and Division.

PROJECT NAME 82nd Avenue improvements; Russell to Crystal Springs Blvd
 ID No FAU 9713
 APPLICANT City of Portland

SCHEDULE
 TO ODOT _____
 PE OK'D _____ EIS OK'D _____
 CAT'Y _____ BID LET _____
 HEARING _____ COMPL'T _____

RELATIONSHIP TO ADOPTED TRANSPORTATION PLAN
 LONG RANGE ELEMENT _____ TSM ELEMENT X

FUNDING PLAN BY FISCAL YEAR (\$000)

	FY 80	FY 81	FY 82	FY 83	FY 84	TOTAL
TOTAL		95	500	1100		1695
FEDERAL		81	425	935		1441
STATE						
LOCAL		14	75	165		254

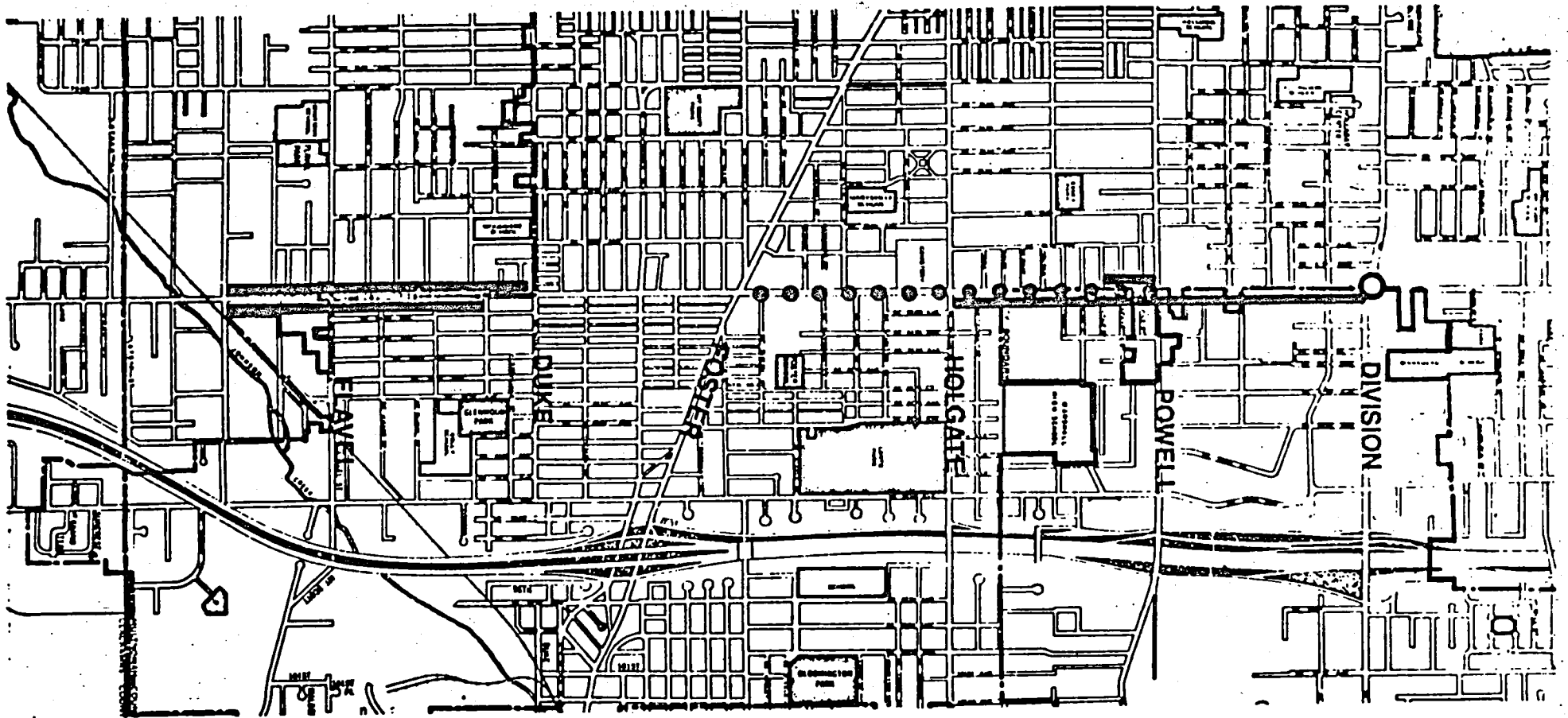
APPLICANT'S ESTIMATE OF TOTAL PROJECT COST

PRELIM ENGINEERING	\$ 95,000
CONSTRUCTION	1,040,000
RIGHT OF WAY	500,000
TRAFFIC CONTROL	35,000
ILLUMIN, SIGNS, LANDSCAPING, ETC	25,000
STRUCTURES	
RAILROAD CROSSINGS	
TOTAL	\$ 1,695,000

LOCATION MAP
 SEE ATTACHED MAPS

SOURCE OF FUNDS (%)

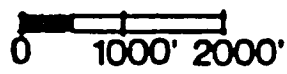
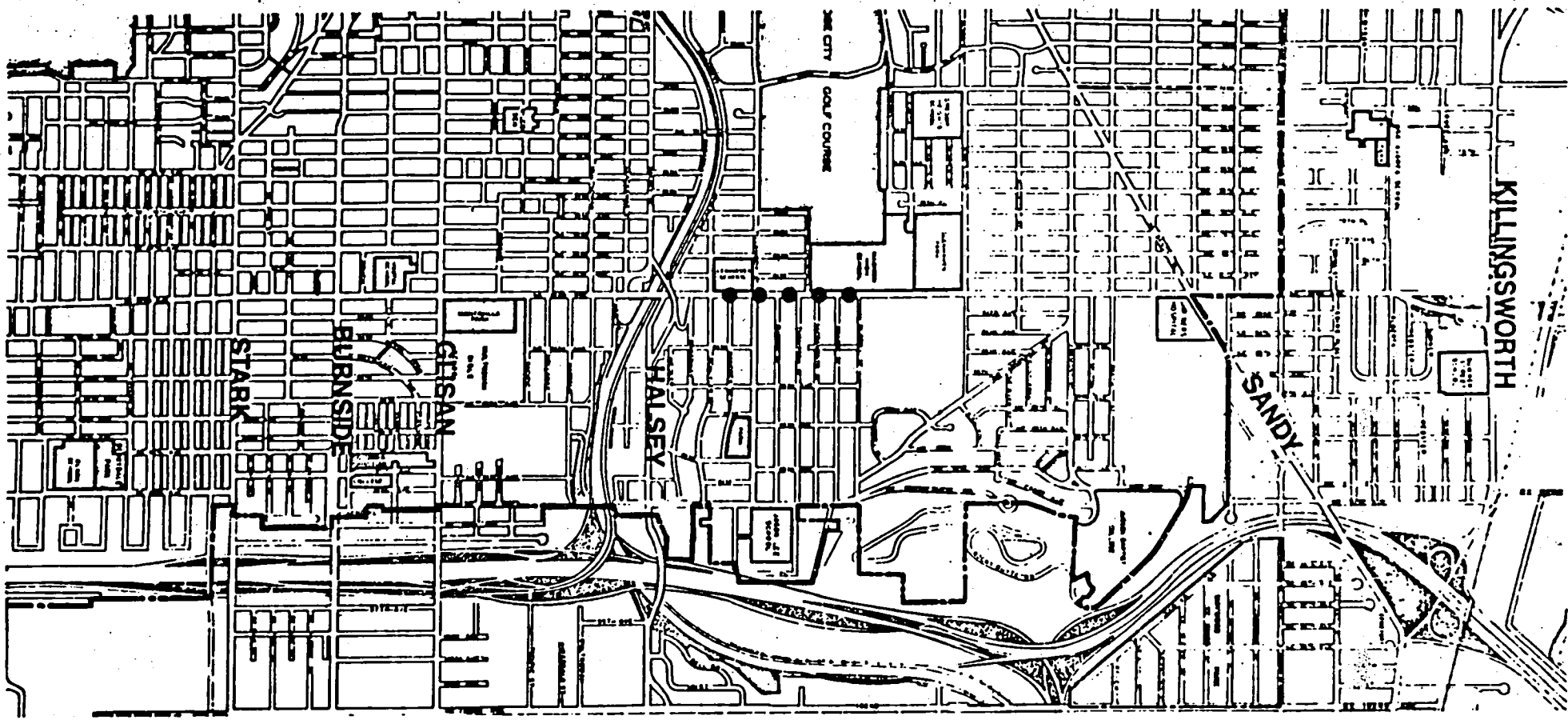
FEDERAL	
FAUS (PORTLAND)	_____
FAUS (OREGON REGION)	_____
FAUS (WASH REGION)	_____
UMTA CAPITAL	_____ UMTA OPRTG _____
INTERSTATE	_____
FED AID PRIMARY	_____
INTERSTATE SUBSTITUTION	_____
	85
NON FEDERAL	
STATE	_____ LOCAL <u>15</u>
	100



82ND AVENUE

Improvements

- Sidewalks
- • • Storm Drainage
- Cross Street Left Turn Signal



A G E N D A M A N A G E M E N T S U M M A R Y

TO: Metro Council
FROM: Executive Officer
SUBJECT: Authorizing Federal Aid Primary Funds for a Signal at Mt. Hood Highway and Birdsdale Avenue.

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Adopt the attached Resolution authorizing \$107,360 of Federal Aid Primary funds for a signal at Mt. Hood Highway and Birdsdale Avenue.
- B. POLICY IMPACT: This action will amend the Transportation Improvement Program (TIP) to include the noted project and enable the Oregon Department of Transportation (ODOT) to undertake obligations of federal funds. TPAC and JPACT have reviewed and approved this project.
- C. BUDGET IMPACT: ODOT oversees Federal Aid Primary funds and recommends their use on this project.

II. ANALYSIS:

- A. BACKGROUND: ODOT has requested the TIP be amended to include this project for FY 1981.

Sizable residential development on Birdsdale is taking place with increased traffic movement. No signal now exists, with the result that left turns to Birdsdale constitute a safety and traffic flow problem.

This project would provide a five-phase signal and left-turn lane at the intersection, thus allowing for safe movement of eastbound traffic onto Birdsdale. Similarly, exiting traffic from Birdsdale would be facilitated through separate signal indications.

- B. ALTERNATIVES CONSIDERED: 1) A separate left-turn lane would provide access to Birdsdale but would not facilitate exiting movements; 2) a three-way stop sign would impede traffic flow on Mt. Hood Highway; 3) a signal without a left-turn lane would not improve safety of turning movements to Birdsdale.
- C. CONCLUSION: Metro staff recommends approval of the attached Resolution.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING	)	RESOLUTION NO. 80-206
FEDERAL AID PRIMARY FUNDS FOR)	
A SIGNAL AT MT. HOOD HIGHWAY	)	Introduced by the Joint
AND BIRDSDALE AVENUE	)	Policy Advisory Committee on
	)	Transportation

WHEREAS, Through Resolution No. 80-186, the Metro Council adopted the Transportation Improvement Program (TIP) and its Annual Element; and

WHEREAS, From time to time new projects must be entered into the TIP upon approval of Metro Council; and

WHEREAS, The Oregon Department of Transportation (ODOT) has requested that \$107,360 in Federal Aid Primary funds be authorized to cover a signal at Mt. Hood Highway and Birdsdale Avenue;

WHEREAS, ODOT oversees Federal Aid Primary funds and recommends their use on this project; and

WHEREAS, These funds will be federally obligated in FY 1981; now, therefore,

BE IT RESOLVED,

1. That \$107,360 of Federal Aid Primary funds be authorized for a signal at Mt. Hood Highway and Birdsdale Avenue.
2. That the TIP and its Annual Element be amended to reflect this authorization as set forth in Exhibit "A."
3. That the Metro Council finds the project in accordance

with the region's continuing, cooperative, comprehensive planning process and, hereby, gives affirmative A-95 Review approval.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of December, 1980.

Presiding Officer

BP:et/1169B/188

PROJECT DESCRIPTION

RESPONSIBILITY (AGENCY) Oregon Dept. of Transportation
 LIMITS Mt. Hood Hwy. @ Birdsdale Ave. LENGTH 0.0
 DESCRIPTION Install a five-phase traffic signal with roadway channelization for a left turn lane.

PROJECT NAME Mt. Hood Hwy. @ Birdsdale Ave.
 ID No FA214
 APPLICANT ODOT

SCHEDULE

TO ODOT _____
 PE OK'D _____ EIS OK'D _____
 CAT'Y _____ BID LET _____
 HEARING _____ COMPL'T _____

RELATIONSHIP TO ADOPTED TRANSPORTATION PLAN
 LONG RANGE ELEMENT _____ TSM ELEMENT _____

FUNDING PLAN BY FISCAL YEAR (\$000)

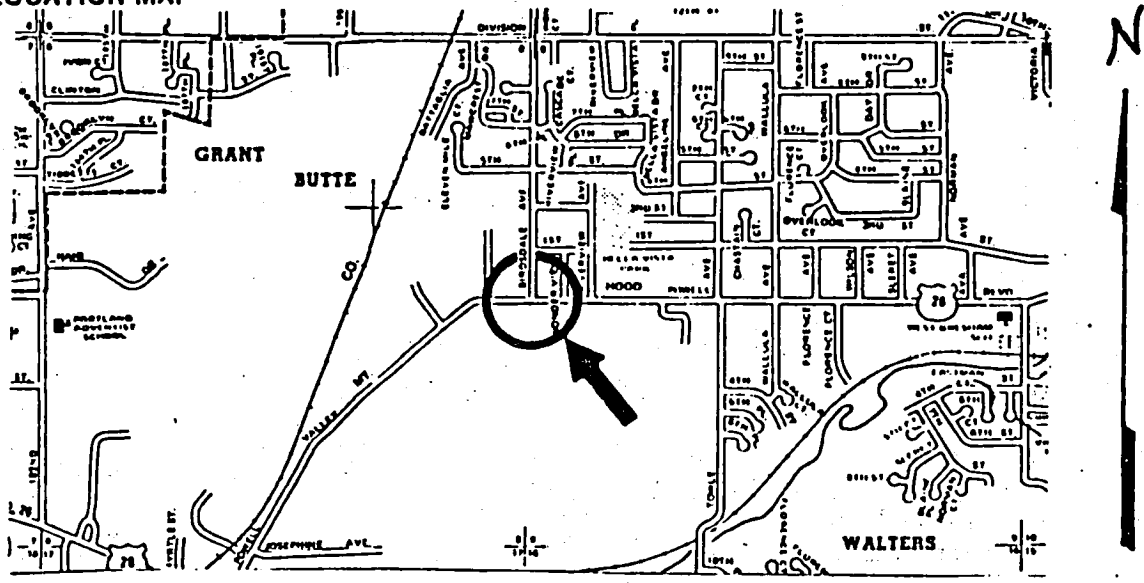
	FY 78	FY 79	FY 80	FY 81	FY 82	TOTAL
TOTAL				122		122
FEDERAL				107		107
STATE				15		15
LOCAL						

APPLICANT'S ESTIMATE OF TOTAL PROJECT COST

PRELIM ENGINEERING \$ 12,000
 CONSTRUCTION _____
 RIGHT OF WAY 10,000
 TRAFFIC CONTROL 100,000
 ILLUMIN, SIGNS, LANDSCAPING, ETC _____
 STRUCTURES _____
 RAILROAD CROSSINGS _____

_____ 122,000
 TOTAL \$ _____

LOCATION MAP



SOURCE OF FUNDS (%)

FEDERAL
 FAUS (PORTLAND) _____
 FAUS (OREGON REGION) _____
 FAUS (WASH REGION) _____
 UMTA CAPITAL _____ UMTA OPRTG _____
 INTERSTATE _____
 FED AID PRIMARY 88
 INTERSTATE SUBSTITUTION _____
 NON FEDERAL
 STATE 12 LOCAL _____

EXHIBIT "A"

A G E N D A M A N A G E M E N T S U M M A R Y

TO: Metro Council
FROM: Executive Officer
SUBJECT: Amending the FY 1981 Transportation Improvement Program (TIP) to include Tri-Met's Special Efforts Program for the Handicapped

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Recommend Council adoption of the attached Resolution amending the TIP to include a Special Efforts Program (accessibility for the elderly and handicapped).
- B. POLICY IMPACT: This action will amend the TIP in response to the Urban Mass Transportation Administration's (UMTA) concern about lack of special efforts in the TIP (see attached letter from UMTA and explanation of proposed response). This is consistent with the Metro Five Year Operational Plan and the previously adopted 503 Transition Plan. TPAC and JPACT have reviewed and approved this project.
- C. BUDGET IMPACT: The approved Metro budget includes funds to monitor federal funding commitments.

II. ANALYSIS:

- A. BACKGROUND: United States Department of Transportation (USDOT) regulations require that accessibility of mass transportation facilities, equipment and services be provided to handicapped individuals in compliance with Section 504 of the Rehabilitation Act of 1973.

Tri-Met has developed a 504 Transition Plan for meeting requirements of Section 504. This plan was endorsed by the Metro Council in June, 1980.

UMTA, in its initial review of the FY 1981 TIP, has expressed concern over the omission of this Special Efforts Program in the TIP. Based on the initial review, UMTA has recommended that a Special Efforts Program be included in the TIP. To accomplish this means that Tri-Met's estimated costs, set forth in its 504 Transition Plan (Major Services Improvement Plan), be included in the TIP.

The effort (Exhibit "A") covered by the Plan consists of:

- . Maintenance of lifts on vehicles serving fixed routes.

- . Operator training in the handling of disabled passengers, use of the lift mechanism and securement of passengers while riding the bus.
 - . Staff support to coordinate services with other transportation institutions and modes, provide information and marketing services and supervise the overall program.

 - . Special needs transportation by which Tri-Met shall plan, coordinate, provide a funding base and act as broker for a coordinated door-to-door prescheduled transportation program for qualified disabled people in the Tri-County area. The basic goal of door-to-door service shall be to provide service as equivalent to the fixed route service as is possible. As the Tri-Met system becomes accessible, the nature of the door-to-door system will be modified. The special services will serve more of a feeder function connecting to the accessible fixed-route system. Some door-to-door service, however, will still be required for the estimated 11,300 persons who could not use fixed-route buses even if they were equipped with wheelchair lifts.
- B. ALTERNATIVES CONSIDERED: In addition to the Major Services Improvement Plan, a fallback option was proposed. This option, the Existing Service Commitments Plan, would continue Ridesharing and Special Needs Transportation programs at about the same level as today except that Tri-Met would maintain a coordinating role for special needs door-to-door service and provide no direct funding support.
- C. CONCLUSION: Metro staff recommends adoption of the attached Resolution to amend the TIP to be consistent with the adopted 504 Transition Plan.

BP:ss
1166B/188

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING	)	RESOLUTION NO. 80-207
THE FY 1981 TRANSPORTATION)	
IMPROVEMENT PROGRAM (TIP) TO	)	Introduced by the Joint
INCLUDE TRI-MET'S SPECIAL	)	Policy Advisory Committee
EFFORTS PROGRAM FOR THE	)	on Transportation
HANDICAPPED)	

WHEREAS, The Metro Council, through Resolution No. 80-186 adopted the FY 1981 TIP and its Annual Element; and

WHEREAS, The Urban Mass Transportation Administration (UMTA) in its initial review of the FY 81 TIP has expressed concern over omission of a Special Efforts Program in the TIP; and

WHEREAS, Such a program was included in the 504 Transition Plan and adopted by the Tri-Met Board of Directors; and

WHEREAS, Tri-Met's 504 Transition Plan was adopted by the Metro Council through Resolution No. 80-162 in June, 1980; and

WHEREAS, To accommodate UMTA's concern means that the estimated costs and project set forth in the Transition Plan be incorporated in the TIP; now therefore,

BE IT RESOLVED,

1. The TIP and its Annual Element be amended to reflect the project and funds set forth in Exhibit "A."
2. That the Metro Council finds that project in accordance with the region's continuing, cooperative, comprehensive planning process and, hereby, gives affirmative A-95 Review approval.

ADOPTED by the Council of the Metropolitan Service District this _____ day of December, 1980.

Presiding Officer



METROPOLITAN SERVICE DISTRICT
527 SW. HALL ST., PORTLAND, OR. 97201, 503/221-1646

MEMORANDUM

Date: November 18, 1980

To: Metro Council

From: Andrew Cotugno *AC*

Regarding: UMTA Comments on the FY 1981 Transportation Improvement Program (TIP)

Metro has received correspondence from Terry Ebersole of UMTA detailing three areas of concern in the content of the FY 81 TIP recently adopted. Metro proposes to respond to UMTA's concerns (refer to attached) by:

- 1) Amending the TIP to include Special Efforts' Funding to meet special requirements for handicapped access omitted from the TIP.
- 2) Commenting on projects of Interstate significance.
- 3) Documenting the differences on the Banfield Transitway funding between the TIP and the obligation schedule submitted by Tri-Met as follows:

- . The TIP is set at current Interstate Transfer estimates and will escalate quarterly according to the Composite Construction Index; it contains funds with projects limited to the latest federal authorizations.

- . The obligation schedule submitted by Tri-Met assumes an inflation factor to project completion.

These differences do not preclude at least the first two or three years' program in the TIP being consistent with the obligation schedule, so long as the total in the TIP does not exceed federal funds authorized.

An Agenda Management Summary and Resolution covering UMTA's concern on Special Efforts have been included in the agenda packet. An errata sheet for the TIP will be developed and submitted to UMTA responding to items 2 and 3.

BP:lmk

Attachments



U.S. Department
of Transportation

Urban Mass
Transportation
Administration

Region X
Alaska, Idaho,
Oregon, Washington

915 Second Avenue
Suite 3142
Seattle, WA 98174

October 30, 1980

Mr. Rick Gustafson
Chief Executive Officer
Metropolitan Service District
527 S.W. Hall Street
Portland, OR 97201

Mr. Michael Langsdorf, Chairman
Regional Planning Council of
Clark County
P.O. Box 5000
Vancouver, WA 98663

Re: FY 1981 TIP
Portland, OR/Vancouver, WA

Dear Mr. Gustafson and Mr. Langsdorf:

The Urban Mass Transportation Administration has completed an initial review of the Transportation Improvement Program for the Portland, OR/Vancouver, WA urbanized area. Based on this initial review the following needs to be accomplished prior to UMTA action on the TIP:

1. The area (both Portland and Vancouver) needs to program special efforts in the TIP/AE. See 49 CFR 27.97 (The Department of Transportation's 504 Regulations).
2. The TIP/AE should discuss projects of interstate significance per the RPC/Metro Memorandum of Agreement and as requested in UMTA's comments on the FY80 TIP/AE.
3. The programming of interstate transfer funds for the UMTA portion of the Banfield Light Rail Project should coincide with the obligation schedule submitted by Tri-Met to UMTA.

Please make appropriate amendments to the FY81 TIP/AE so we can complete our review and approve the programming of projects. Please contact Patricia Levine of this office at (206)442-4210 if you have any questions concerning this letter.

Sincerely,

Terry L. Ebersole
Acting Regional Administrator

cc: Peter Cass, Tri-Met
Dave Ashcraft, Vancouver Transit

RECEIVED
NOV - 3 1980
METRO SERVICE DISTRICT

PROJECT INFORMATION FORM - TRANSPORTATION IMPROVEMENT PROGRAM

PORTLAND-VANCOUVER
METROPOLITAN AREA

PROJECT DESCRIPTION

RESPONSIBILITY (AGENCY) TRI-MET
 LIMITS N/A LENGTH N/A
 DESCRIPTION Maintenance of lifts on vehicles serving fixed routes; operator training in the handling of disabled passengers and lift mechanism; staff support to coordinate services with other transportation institutions and modes; information and marketing services; supervise overall program; and special needs transportation by which Tri-Met shall plan, coordinate, provide a funding base and act as broker for a coordinated door-to-door prescheduled transportation program.

PROJECT NAME TRI-MET
 SPECIAL EFFORTS PROGRAM _____
 ID No N/A
 APPLICANT TRI-MET

SCHEDULE

TO ODOT _____
 PE OK'D _____ EIS OK'D _____
 CAT'Y _____ BID LET _____
 HEARING _____ COMPL'T _____

RELATIONSHIP TO ADOPTED TRANSPORTATION PLAN
 LONG RANGE ELEMENT _____ TSM ELEMENT X

FUNDING PLAN BY FISCAL YEAR (\$000)

	FY 80	FY 81	FY 82	FY 83	POST 83	TOTAL
TOTAL	718	978	1,310	1,574	4,060	8,640
FEDERAL	574	782	1,048	1,259	3,249	6,912
STATE						
LOCAL	144	196	262	315	811	1,728

APPLICANT'S ESTIMATE OF TOTAL PROJECT COST

PRELIM ENGINEERING \$ _____
 CONSTRUCTION _____
 RIGHT OF WAY _____
 TRAFFIC CONTROL _____
 ILLUMIN, SIGNS, _____
 LANDSCAPING, ETC _____
 STRUCTURES _____
 RAILROAD CROSSINGS _____

SPECIAL EFFORTS \$8,639,959
 TOTAL \$ 8,639,959

LOCATION MAP EFFORT

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
Maintenance of Lifts	--		\$ 137,334	\$ 129,049	\$ 168,780	\$ 347,540
Operator Training	--	\$ 25,432	2,171	3,926	5,310	6,550
Staff	\$ 58,403	127,733	139,230	151,763	165,424	180,314
Special Needs Transportation	660,000	825,000	1,031,000	1,289,000	1,482,000	1,704,000
	\$718,403	\$978,165	\$1,309,735	\$1,573,738	\$1,821,514	\$2,238,404
					TOTAL	\$8,639,959

SOURCE OF FUNDS (%)

FEDERAL
 FAUS (PORTLAND) _____
 FAUS (OREGON REGION) _____
 FAUS (WASH REGION) _____
 UMTA CAPITAL _____ UMTA OPRTG _____
 INTERSTATE _____
 FED AID PRIMARY _____
 INTERSTATE _____
 SUBSTITUTION _____
 UMTA 16B _____ 80
 NON FEDERAL
 STATE _____ LOCAL 20

A G E N D A M A N A G E M E N T S U M M A R Y

TO: Metro Council
FROM: Executive Officer
SUBJECT: Concurring in the Designation of the Clark County Public
Transportation Benefit Area as the Section 5 Recipient

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Adopt the attached resolution designating the Clark County Public Transportation Benefit Area (PTBA) as the local recipient of Section 5 funds.
- B. POLICY IMPACT: This action will allow the PTBA to receive federal transit operating and capital assistance funds for the Vancouver urbanized area instead of Vancouver Transit. TPAC and JPACT have reviewed and approved this project.
- C. BUDGET IMPACT: This action has no impact on the Metro budget.

II. ANALYSIS:

- A. BACKGROUND: On November 4, 1980, voters in the Clark County Transportation Benefit Area authorized a sales and use tax for transit. The tax becomes effective January 1, 1981, at which time PTBA assumes financial responsibility for transit service in Clark County.

In order for PTBA to receive federal funds for transit operating assistance, it must be designated as the local recipient of such funds. Currently, Vancouver Transit is so designated. However, when the household transit tax expires on January 1, Vancouver Transit will no longer have the means to match federal grants.

- B. ALTERNATIVES CONSIDERED: Vancouver Transit System will be phased out in the Spring of 1981. If PTBA is not designated as the local recipient, federal funds will be withheld from the Vancouver urbanized area.
- C. CONCLUSION: Metro staff recommends approval of the attached resolution.

KT:lh
1250B/188

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF CONCURRING	)	RESOLUTION NO. 80-208
IN THE DESIGNATION OF THE CLARK)	
COUNTY PUBLIC TRANSPORTATION	)	Introduced by the Joint
BENERIT AREA AS THE SECTION 5	)	Policy Advisory Committee on
RECIPIENT	)	Transportation

WHEREAS, On January 1, 1981, the Clark County Public Transportation Benefit Area (PTBA) will assume financial responsibility for transit service in Clark County; and

WHEREAS, In order to receive Section 5 funds from the Urban Mass Transportation Administration the PTBA must be formally designated as the local recipient of the funds; and

WHEREAS, Vancouver Transit is currently the authorized recipient; now, therefore,

BE IT RESOLVED,

1. The Metro Council hereby concurs with the designation of the Clark County Public Transportation Benefit Area as the recipient of UMTA Section 5 funds for the Vancouver urbanized area.

ADOPTED by the Council of the Metropolitan Service District this _____ day of December, 1980.

Presiding Officer

KT/et
1253B/188

A G E N D A M A N A G E M E N T S U M M A R Y

TO: Metro Council
FROM: Executive Officer
SUBJECT: Amending the FY 79 and FY 80 Unified Work Program

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Adopt the attached Resolution which authorizes amendment of the FY 79 and FY 80 Unified Work Program (UWP).
- B. POLICY IMPACT: This action is a housekeeping measure to transfer funds within each fiscal year to reflect past changes in priorities and to carry funds over into the next year. Adjustments over five percent of the total budget require federal approval. TPAC and JPACT have reviewed and approved these UWP amendments.
- C. BUDGET IMPACT: The FY 79 budget was not affected by the change. The FY 80 budget was reduced by \$96,962. This reduction was caused by a change in the highway planning funds, and was agreed to by Metro in a supplemental contract with Oregon Department of Transportation (ODOT).

II. ANALYSIS:

- A. BACKGROUND: The FY 79 revision adds a new task to allow for use of \$18,036 of Section 8 carryover funds on a FY 80 work element; total budget remained the same. The Tri-Met portion shifted \$3,000 from Sector Plan Development into Transit TSM; total budget remained the same. (See Exhibit A).

Exhibit B describes changes to the FY 80 budget. Federal Highway Planning funds were amended through a supplemental agreement with ODOT, resulting in a cut back by \$81,620 because of a shortfall. UMTA Section 8 funds were reduced from several work elements to reflect actual expenditures and shifted to Alternatives Systems to provide funding for Westside Phase I and McLoughlin Boulevard work.

Tri-Met work reduced Service Analysis by \$3,000 and the Five Year Plan by \$8,000. These funds were shifted into the new task, Plan Maintenance and carried over into FY 81.

The budget for the Clark County Air Quality project was revised to reflect the actual amount of the contract.

All other funds remain unchanged from prior amendments.

- B. ALTERNATIVES CONSIDERED: Revise the UWP to allow expenses to be paid by grants or cover expenses with local funds.
- C. CONCLUSION: Metro staff recommends adoption of the attached Resolution to amend the FY 79 and FY 80 UWP for submittal to the Intermodal Planning Group.

KT/et
1229B/188

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING) RESOLUTION NO. 80-209
THE FY 79 AND FY 80 UNIFIED WORK)
PROGRAM) Introduced by the Joint
) Policy Advisory Committee on
) Transportation

WHEREAS, The FY 79 Unified Work Program (UWP) was adopted in May 1978 by Ordinance No. 78-3 and revised in December 1978; and

WHEREAS, The FY 80 UWP was adopted in May 1979 by Ordinance No. 79-49; and

WHEREAS, Changes to the UWP must be approved by the Metro Council and the Intermodal Planning Group; and

WHEREAS, Both the FY 79 and FY 80 UWP must be revised to accurately reflect task priorities and actual expenditures, now therefore,

BE IT RESOLVED,

1. The Metro Council hereby approves the amendments to the FY 79 and FY 80 UWP as shown in Exhibits "A" and "B."

2. Staff is directed to submit this Resolution with its exhibits to the Intermodal Planning Group for approval.

ADOPTED by the Council of the Metropolitan Service District this _____ day of December, 1980.

Presiding Officer

KT/et
1230B/188

PROPOSED FY 79
UWP AMENDMENT

November, 1980

TASKS	SEC. 8 - FY 79		PROPOSED CHANGE	PROPOSED BUDGET	FHWA	PROPOSED CHANGE	EPA	PROPOSED CHANGE	LOCAL OVERMATCH	TOTAL
	APPROVED BUDGET UMTA	TOTAL								
A. Develop Regional Plans and Programs	\$ 22,500.00	\$ 28,125.00		\$ 22,113.00	\$393,255.00	0	\$ 82,700.00	0	\$36,800.00	\$534,868.00
B. Develop Regional Plans and Improvement Programs	63,200.00	79,000.00	-18,036.00	72,988.00	200,000.00	0	35,100.00	0	1,200.00	309,288.00
C. Assist Member Jurisdictions	42,300.00	52,875.00		46,863.00	57,225.00	0	0	0	0	104,088.00
D. Refine Regional Plan	0	0		0	0		2,200.00	0	1,000.00	3,200.00
PROPOSED WORK ELEMENT AMENDMENT										
Alternative Systems			+18,036.00	18,036.00		0	0	0	0	18,036.00
METRO TOTAL	\$128,000.00	\$160,000.00	0	\$160,000.00	\$650,480.00	0	\$120,000.00	0	\$39,000.00	\$969,480.00
TRI-MET (Contractual)										
D.1.b Sector Plan Development	88,890.00	111,226.00	-3,000.00	108,226.00						
D.1.d Regional Planning Coord.	1,654.00	20,674.00	0	20,674.00						
D.1.e Transit TSM	11,200.00	14,000.00	+3,000.00	17,000.00						
D.2. Special Transportation	8,250.00	6,600.00	0	6,600.00						
	\$109,994.00	\$152,500.00	0	\$152,500.00						
METRO/TRI-MET TOTAL	\$250,000.00	\$312,500.00	0	\$312,500.00						

EXHIBIT "B"

PROPOSED FY 80
UWP AMENDMENT
November, 1980

METROL	FHWA		Section 8 Carryover	New Sec. 8	UMTA			Westside Phase II	Tri-Met TDP	Clark County Trans.	Clark County Air Quality	EPA 175 Carryover	New 175	FAA Carryover	Total
	Project	PL			TQX	Phase I AA	Southern Corridor									Westside Interim
1. Growth Alternatives															
Budget	11,500	17,100		9,900						7,000					45,500
Proposed Change	+ 11,781	- 17,100		+ 8,078						0					+ 2,759
Revised	23,281	0		17,978						7,000					48,259
2. Simulation Tools															
Budget		54,600							10,000	10,000					74,600
Proposed Change		+ 4,346							0	0					+ 4,346
Revised		58,946							10,000	10,000					78,946
3. Phase I															
Budget		0			57,881										57,881
Proposed Change		+ 712			0										+ 712
Revised		712			57,881										58,593
4. Corridor Analysis															
Budget		38,700				11,300									50,000
Proposed Change		+ 15,060				0									+ 15,060
Revised		53,760				11,300									65,060
5. Alternative Systems															
Budget	0	81,500	0	0											81,500
Proposed Change	+ 74,515	- 81,500	+ 18,036	+ 38,152											+ 45,203
Revised	74,515	0	18,036	38,152											130,703
6. Air Quality Controls															
Budget										20,000	18,000	60,000			98,000
Proposed Change										-2,950	-18,000	+ 69,200			+ 48,250
Revised										17,050	0	129,200			146,250
7. Westside AA															
Budget							130,000	106,341							236,341
Proposed Change							0	0							0
Revised							130,000	106,341							236,341
8. RTP															
Budget		129,100												0	129,100
Proposed Change		- 3,138												+ 2,516	- 622
Revised		125,962												2,516	128,478
9. TSM															
Budget	12,500			10,900											23,400
Proposed Change	- 9,368			- 8,439											- 17,807
Revised	3,132			2,461											5,593
10. TIP															
Budget	50,500			43,800											94,300
Proposed Change	- 14,352			- 15,398											- 29,750
Revised	36,148			28,402											64,550
11. SIP															
Budget											6,000	106,000			112,000
Proposed Change											+14,652	-106,000			- 91,348
Revised											20,652	0			20,652
12. Technical Assistance															
Budget	34,900			20,300						18,000					73,200
Proposed Change	- 33,597			- 19,276						0					- 52,873
Revised	1,303			1,024						18,000					20,327
13. Coord./Management															
Budget	40,600			36,600 ^b											77,200
Proposed Change	- 21,775			- 3,117											- 24,892
Revised	18,825			33,483											52,308
TOTAL															
Budget	150,000	321,000	0	121,500	57,881 ^c	11,300	130,000 ^d	106,341 ^e	10,000 ^f	35,000	20,000 ^g	24,000	166,000	0	1,151,024
Proposed Change	+ 7,204 ^a	- 81,620 ^a	+ 18,036	0	0	0	0	0	0	-2,950	- 3,348	- 36,800	2,516	- 96,962	
Revised	157,204	239,380	18,036	121,500	57,881	11,300	130,000	106,341	10,000	35,000	17,050	20,652	129,200	2,516	1,056,060
UWP AMOUNT FROM FY 80							17,491	607,459		3,717	6,933				

TRI-MET:

1. Service Analysis															
Budget				31,000											
Proposed Change				- 3,000											
Revised				28,000											
2. Transit Energy Reduct.															
Budget				25,000											
Proposed Change				0											
Revised				25,000											
3. TSM															
Budget				30,000											
Proposed Change				0											
Revised				30,000											
4. Special Transportation															
Budget				26,770 ⁱ											
Proposed Change				0											
Revised				26,770											
5. 5-Year Plan															
Budget				53,125											
Proposed Change				- 8,000											
Revised				45,125 ^j											
PROPOSED WORK ELEMENT															
Plan Maintenance															
Budget				0											
Proposed Change				+ 11,000											
Revised				11,000											

^aAmount revised by supplemental agreement of 6-17-80.
^bIncludes audit fee (\$1,500).
^cCarryover amount of FY 79 grant for \$70,000.
^dIncludes UWP amendment of January, 1980.
^eFY 80 portion of March, 1980 UWP amendment.
^fLocal contract executed June 3, 1980.
^gClark County/Metro contract executed for reduced amount.
^hIncludes amendments made in August 9, 1979 letter to UMTA but not reflected on UWP budget tables.
ⁱAdded to show proper amount of grant pass through - requires no budget adjustment - inadvertently deleted from UWP budget table.
^j\$1,500 reduced from 5-Year Plan for audit.

A G E N D A M A N A G E M E N T S U M M A R Y

TO: Metro Council
 FROM: Executive Officer
 SUBJECT: Recommending a Continuance of the City of Happy Valley's Request for Acknowledgment of Compliance with LCDC Goals

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: That the Council adopt the attached Resolution No. 80-210 recommending that LCDC grant a continuance of the city of Happy Valley's request for compliance. The Council should act on this item at its December 18 meeting in order to ensure that its recommendation is considered by LCDC (see background).
- B. POLICY IMPACT: This acknowledgment recommendation was developed under the "Metro Plan Acknowledgment Review Schedule," June 20, 1980. This process provides jurisdictions an opportunity to work with Metro staff and interested parties to discuss and clarify acknowledgment issues prior to Regional Planning Committee (RPC) action.
- C. BUDGET IMPACT: None

II. ANALYSIS:

- A. BACKGROUND: Happy Valley submitted its plan to LCDC for acknowledgment in August, 1980. LCDC has scheduled a hearing on the City's request for acknowledgment for January 22, 1981.

Metro conducted a draft review of Happy Valley's plan in April of 1980, and forwarded a copy of its comments to the City at that time. Happy Valley subsequently adopted a development ordinance and made substantial changes to its plan, that meet many of Metro's comments.

Happy Valley is a sparsely populated community of about 1,400 acres located in suburban Clackamas County near I-205 and the Clackamas Town Center.

Staff is concerned that the Happy Valley plan does not comply with Statewide Goal #10 and regional expectations for housing. The City has established very low densities, provided an inadequate buildable lands inventory, ignored its constraints and suitability information in establishing land use designations, failed to recognize its responsibility for meeting regional housing needs and created vague and discretionary approval standards for needed housing types, including all multi-family housing and mobile homes. In addition, the staff has identified

compliance problems with Goal #5 (Natural Resources), inadequate compensation mechanisms; Goal #7 (Hazards), an unadopted drainage ordinance; Goal #11 (Public Facilities), no sewer plan or policies.

After materials were prepared for the RPC, staff received from the City a traffic study containing also a policy which raised two additional goal compliance issues. The City's transportation policy is inconsistent with its housing policy (Goal #12) and its population projections are too low causing Goal #2 problems. These issues were presented in the staff report to the RPC, but were excluded from the draft resolution. Staff has, therefore, included Goal #2 and Goal #12 in the Resolution, consistent with the staff report.

Happy Valley does not concur with the staff analysis. The City maintains that it is free under Goal #10 to choose whatever housing densities it likes. Happy Valley argues that its land is unsuitable for urban densities because of slope and drainage problems. The housing issues, according to the City's attorney, will ultimately be resolved by the courts. On Goals #6 and #11, the sewer issue, the City says it will develop a sewer plan corresponding to the densities it is finally ordered to develop by LCDC. Happy Valley maintains that Goals #9 and #13 do not require it to zone land for commercial use.

The Metro Staff Report and recommendation was prepared according to the "Metro Plan Acknowledgment Review Schedule," June 20, 1980. Under the previous plan review procedures, the RPC was provided with a complete Plan Acknowledgment Review Report. Under the June 20 schedule, the RPC will receive an "Acknowledgment Issues Summary" for each plan, developed from a "Plan Review Work Session" involving the jurisdiction, interested parties and Metro staff. The Summary will identify acknowledgment issues raised at the Work Session, describing areas of agreement and presenting the Metro staff position and rationale on unresolved issues.

The Council's role is to receive the Staff Report, hear further comments from interested parties and act upon the RPC's recommendations.

- B. ALTERNATIVES CONSIDERED: Metro staff did not find any issues which warranted serious consideration of an alternative recommendation (i.e., for denial).

C. CONCLUSION: Metro's recommendation for a continuance will support local planning efforts while protecting regional interests.

JC:ss
1235B/188

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF RECOMMENDING A) RESOLUTION NO. 80-210
CONTINUANCE OF THE CITY OF HAPPY)
VALLEY'S REQUEST FOR ACKNOWLEDGMENT) Introduced by the Regional
OF COMPLIANCE WITH THE LCDC GOALS) Planning Committee

WHEREAS, Metro is the designated planning coordination body under ORS 260.385; and

WHEREAS, Under ORS 197.255 the Council is required to advise LCDC and local jurisdictions preparing comprehensive plans whether or not such plans are in conformity with the Statewide Planning Goals; and

WHEREAS, The city of Happy Valley is now requesting that LCDC acknowledge its Comprehensive Plan as complying with the Statewide Planning Goals; and

WHEREAS, LCDC Goal #2 requires that local land use plans be consistent with regional plans; and

WHEREAS, Happy Valley's Comprehensive Plan has been evaluated for compliance with LCDC goals and regional plans adopted by CRAG or Metro prior to June, 1980, in accordance with the criteria and procedures contained in the "Metro Plan Review Manual" as summarized in the staff reports attached as Exhibit "A" and "B"; and

WHEREAS, Metro finds that Happy Valley's Comprehensive Plan does not comply with the LCDC Goals #2, 5, #7, #10, #11 and #12; now, therefore,

BE IT RESOLVED,

1. That the Metro Council recommends to LCDC that Happy

Valley's request for compliance acknowledgment be continued to correct deficiencies under Goals #2, #5, #7, #10, #11 and #12 as identified in Exhibit "A."

2. That the Executive Officer forward copies of this Resolution and Staff Report attached hereto as Exhibits "A" and "B" to LCDC, city of Happy Valley and to the appropriate agencies.

3. That, subsequent to adoption by the Council of any goals and objectives or functional plans after June, 1980, the Council will again review Happy Valley's plan for consistency with regional plans and notify the city of Happy Valley of any changes that may be needed at that time.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of December, 1980.

Presiding Officer

JC:ss
1236B/188

HAPPY VALLEY ISSUE OUTLINE

	<u>ISSUE</u>	<u>CITY RESPONSE</u>
Goal #1	Citizen Involvement No issues identified	
Goal #2	Land Use Planning	
	1. Implementation of Dual Interest Area (Agreement (Clackamas County)	See Goal #6
	<u>Staff Position:</u> Not a Goal 2 Issue, See Goal #6.	
	2. Land Partitioning Time Requirement (OBPC, Portland Homebuilders)	NR
	<u>Staff Position:</u> Not a Compliance Issue	
Goal #3	Agricultural Lands No Issues Identified	
Goal #4	Forestry Land No Issues Identified	
Goal #5	Natural Resources	
	1. Historical Preservation Implementation (1000 Friends)	Inadequate funds
	<u>Staff Position:</u> Though Metro concurs, staff does not consider this an acknowledgment issue of regional concern	
	2. Inadequate Findings for Development Restrictions; no compensation (Metro)	NR
	<u>Staff:</u> City must analyze social, economic, environmental and other impacts of development limitations and adopt adequate compensation provisions.	
Goal #6	Environment	
	1. No sewer plan submitted (DEQ, Clackamas County, Metro)	Plan being drafted, City lacks funding. Inappropriate to adopt sewer plan before densities are established.

ISSUE

CITY RESPONSE

Staff Position: Prior to acknowledgment, City must submit plan with policies for sewerage urban development

Goal #7 Hazards

Too much land is classified unbuildable (Landowners)

Much land is unbuildable due to slope, soils and drainage

Staff: Metro had identified no Goal #7 compliance issues (See Goal #10, item 6)

Goal #8

No issues identified

Goal #9 Economy

1. City has responsibility to provide housing for the region's workers as its part in the economy (Landowners)

NR

Staff Position: This is properly a Goal #10 Issue

2. No land is designated for Commercial development

Present residents do not want commercial uses. The Goals do not require commercial land; the City will consider commercial needs in the future.

Staff Position: This is not a Goal #9 compliance issue.

Goal #10 Housing

1. Requirements, Goal #10 requires certain densities inside UGBs; Happy Valley is bound by findings and policies stemming from the regional UGB (DLCD, Homebuilders, 1000 Friends, Landowners, Manufactured Housing Dealers, OBPC, Metro)

Happy Valley is free to choose its own densities

ISSUE

CITY RESPONSE

Staff Position: Happy Valley should build to approximately 6 units per net acre and provide a 50/50 SF/MF new construction ratio or fully document necessity for variance

2. The plan contains vague and discretionary review standards
- Impact statements
 - Neighborhood compatibility requirements
 - Site plan review
 - (Manufactured Housing Dealers, Metro)

NR

Staff Position: Happy Valley must comply with the St. Helens decision and provide clear and objective approval standards

3. The City has established excessive land donation requirements for new development

NR

Staff Position: The City must analyze the impacts of its dedication requirements and find they do not unreasonably raise housing costs

4. Density transfer provisions are inadequate (Manufactured Housing Dealers, Landowners, Metro)

NR

Staff Position: Density transfer provisions should allow full transfer of rights and increase underlying densities

5. No provision for multi-family housing (DLCD, 1000 Friends, Landowners, Metro)

Goal #10 does not require 50/50 mix

Staff Position: Happy Valley must meet 50/50 SF/MF new construction ratio or fully justify any departure from that ratio

6. Densities area not related to buildability and constraints; densities for buildable land are too low (Metro)

Happy Valley has serious constraints -- drainage and slope -- that make higher densities on "buildable" land impossible

ISSUE

CITY RESPONSE

Staff Position: Happy Valley must relate density to suitability and not restrict densities on buildable lands and average 6 UNA overall

- 7. Happy Valley lacks a sewer plan (Metro)

See Goals #6 & #11

Staff Position: Until a sewer plan is adopted Happy Valley's ability to meet Goal #10 cannot be determined

- 8. The City may require developers to increase lot sizes at its discretion irrespective of plan designations (Metro)

Staff Position: The City should eliminate these provisions.

Goal #11 Public Facilities and Services

- 1. The City has not developed a sewer plan or definitive sewer policies for urban development.

Staff Position: Happy Valley must adopt a sewer plan providing for urban densities prior to acknowledgment

Happy Valley will provide sewers consistent with the densities it is required to plan for and consistent with its financial ability

- 2. Sewer Service must provide for urban densities (Landowners, Homebuilders)

Sewers will be based on LCDC required densities.

Staff Position: City must plan for sewers for urban densities in acknowledged plan

Goal #12 Transportation

After the work session, Metro received a copy of Happy Valley's traffic study. Metro is concerned that the City has not provided adequate streets and roads for its planned density (Metro)

NR

Staff Position: The City should plan for transportation facilities adequate to serve its planned density

ISSUE

CITY RESPONSE

Goal #13 Energy Conservation

See Goal #9

No commercial use will be allowed in Happy valley, forcing residents to drive outside the community to shop, wasting energy, (Metro)

Staff Position: This is not a Goal #13 compliance issue.

Goal #14 Urbanization

See Goal #10

Happy Valley must provide densities consistent with the UGB findings (Landowners)

Staff Position: This is properly a Goal #10 issue

JC/et
1251B/193

HAPPY VALLEY ACKNOWLEDGMENT REVIEW

INTRODUCTION:

Happy Valley has had a long and controversial history in the planning for the Portland metropolitan region. The City was initially classified rural by Columbia Region Association of Governments (CRAG) when CRAG drew its first Urban Growth Boundary (UGB). Subsequently, the Land Conservation and Development Commission (LCDC) ordered CRAG to review that finding. In the final UGB, Happy Valley was designated urban. The City is now before Metro seeking Metro's recommendation on its request to LCDC for acknowledgment of its comprehensive plan.

The key issue underlying the staff's recommendation for a continuance of Happy Valley's plan is the City's failure to plan for an urban future. The City plans to develop to residential density of 2-2 1/2 units per acre. Metro staff finds that Goal #10 and Goal #14 requires at least six units per acre. The difference is between an urban and a rural future. Staff considers this to be a crucial shortcoming for both policy and practical reasons.

Policies adopted by Metro and the LCDC have clearly designated Happy Valley as part of the urban area. LCDC, under the UGB and its review of Metro area jurisdictions, has established the principle - with which Metro has concurred - that cities within the Boundary must assume responsibility for meeting the region's housing needs. To acknowledge Happy Valley's plan which contemplates an essentially rural future, undermines the adopted UGB and treats unfairly other cities and counties who have worked in good faith to meet their responsibilities.

As a practical matter, Happy Valley should develop at urban densities. The City's location and accessibility and the future economic trends of the area make Happy Valley uniquely suited to accommodate an important share of regional growth.

Already, regional investments have improved transportation in and to the Happy Valley area. The I-205 freeway is and will continue to be the only major uncongested freeway in the Portland area. Other investments planned in Regional Transportation Plan (RTP) - improving McLoughlin Blvd. and widening Sunnyside Road to four lanes - will further improve Happy Valley's transportation access. In the year 2000, according to the RTP, the Clackamas Town Center area, including Happy Valley, will have access to the only major radial corridor - Clackamas Expressway/McLoughlin Blvd. - not operating at or above capacity. In addition, I-205 will be below capacity from Orchards, Washington, to Wilsonville. Tri-Met's Transit Improvement Program calls for bus service to Happy Valley by 1985. A north/south busline will connect Happy Valley with Light Rail Transit (LRT) at 122nd and Burnside and to Clackamas Town Center. Clackamas Town Center itself will be a major transit center with direct service downtown and along I-205.

Happy Valley will also have access to nearly 100,000 new jobs in the next two decades. Metro's Transportation Department has prepared detailed estimates of new employment by traffic zone. These estimates project that nearly 15,000 new jobs will become available in the Happy Valley and Town Center traffic zones by year 2000, and that nearly 100,000 total new jobs will open in the I-205 Corridor between Orchards and Tualatin. This excludes new downtown jobs which will be easily accessible to Happy Valley residents.

The Clackamas Town Center area is destined to be a major growth center. A super regional shopping center, the nearby industrial areas in Clackamas County and better than average transportation access give this area a large comparative advantage in accommodating growth over other areas in the region.

The region has made a substantial investment in urban level services in this part of Clackamas County. Developing Happy Valley at low densities will undercut these investments and put more development pressure on jurisdictions whose resources are already hard pressed and who are relatively less capable of handling more growth.

Each of the major issues identified by staff in reviewing the Happy Valley comprehensive plan relate to the City's role in providing urban land for future growth. Housing density, housing types, septic tanks, sewers, street and road standards and commercial land are controversial because, in each case, the City is attempting to retain a fundamentally rural character. Metro staff points out that it is necessary - because of Happy Valley's inclusion in the UGB - and appropriate - because of Happy Valley's advantageous location - for the City to develop at minimally urban levels.

Basis for Metro Review

Happy Valley prepared a draft comprehensive plan and submitted it to Metro earlier in 1980. Metro staff reviewed this draft in detail and provided the City with a draft plan review in April, 1980. Metro's comments included specific recommendations on how the City could comply with Statewide Goals. At that time, the City omitted needed implementation measures such as zoning and building ordinances and sewer plans. The City has since submitted an adopted development ordinance and a draft drainage ordinance.

Metro's acknowledgment review is based on our earlier draft review. New comments are offered only on documents prepared and submitted since our draft review was prepared (i.e., on the development ordinance). It is Metro's intent to stand by the policies and recommendations laid out in their draft review.

General Requirements

Metro's draft plan review noted that Happy Valley had not submitted its zoning ordinance, map and subdivision ordinance. Since then the City has adopted a development ordinance relying comprehensive plan

map designations and including subdivision regulations. This meets Metro's earlier concerns. Substantive comments on these ordinance provisions made under Goal #10 (Housing).

At the time of Metro's draft plan review, Happy Valley had not signed an Urban Planning Area Agreement with Clackamas County. In June, 1980, the City signed a Dual Interest Area Agreement with the County. The City agreed to the County's designations for land use in the unincorporated areas east of Happy Valley. The County agreed to notify the City of land use changes in the unincorporated area. The City has also agreed to provide sewers to the dual interest area in an "orderly, timely and efficient manner" and both parties have agreed to ultimate annexation of the area to Happy Valley.

The Metro draft plan review noted that Happy Valley had not adopted regionally required "opening" language. The City has subsequently adopted the following language:

"This plan and all of its elements and implementing documents shall be open for amendments that consider compliance with the goals, objectives and plans of the Metropolitan Service District (MSD). This procedure shall occur every two years and may be so amended or revised annually if deemed necessary by the City Council. Amendment and revision for compliance with regional goals, objectives and plans should be consistent with a schedule for reopening of local plans which has been approved by the Land Conservation and Development Commission (LCDC)." (Happy Valley Plan Addendum, p.1)

Goal #1 - Citizen Involvement

Metro's draft plan review did not identify any goal compliance issues under Goal #1 - Citizen Involvement.

Conclusion: Happy Valley complies with Goal #1.

Goal #2 - Land Use Planning

Happy Valley has adopted a development ordinance which meets Metro's earlier concern for the lack of a City Zoning Ordinance. According to Metro's earlier review, the City failed to include a disclaimer for goal provisions which the City deemed inapplicable to Happy Valley. The City has adopted qualifying language addressing a variety of goal issues. Specifically:

"The following list of inventory requirements of LCDC are not pertinent to Happy Valley and consequently are not addressed in this plan: Commercial Forest; Mineral and Aggregate Resources; Energy Sources; Fish and Wildlife; Wilderness; Historic Sites; Cultural Areas;

Oregon Recreational Trails; Scenic Waterways; Earthquakes; Archeological Sites; Travelways, Sports, Cultural Events; Camping, Picnicing and Recreational Lodging; Angling; Winter Sports; Mineral Resources; Resource availability including underutilized natural resources; Rural Services; Rail Transportation; Air Transportation; Water Transportation; Goal - #15 Willamette River Greenway." (Happy Valley Plan Addendum, p.1)

Coordination

Happy Valley has planned for densities of about 2.5 UNA and an ultimate population of about 6,500. It has based various elements of its plan - recreation facilities, roads and public services - on these estimates. If the City develops at 6 UNA, as Metro recommends under Goal #10, the City's ultimate population will be between 10,000 and 12,000 -- 50 percent to 100 percent higher than forecast by the City's present plan. This implies that elements of the City's plan which rest upon the low population estimate will need to be revised.

Metro staff suggests that the City review its analysis and policies under Goal #6 (Recreational); Goal #9 (Economy); Goal #11 (Public Facilities); Goal #12 (Transportation); and Goal #13 (Energy Conservation) based on the revised housing policies it adopts to meet Goal #10. Goal #2 recognizes the interrelationship among these goals and requires the City's plan to be internally consistent.

Conclusion: Happy Valley does not comply with Goal #2. In order to comply, the City must assure that its plan provisions for population-related policies are consistent with any revisions it makes to its housing policies.

Goal #3 - Agricultural Lands

Metro's draft plan review noted that the City had adopted an inappropriate "public need" standard for the conversion of existing agricultural land to urban uses. Metro staff was concerned that the public need standard was inappropriate for areas which were inside UGB and, therefore, already committed to urban use. Happy Valley has deleted the public need standard and now complies with regional requirements under Goal #3.

Conclusion: Happy Valley complies with Goal #3.

Goal #4 - Forest Lands

Metro's draft plan review pointed out technical problems in Happy Valley's creation of a forest classification (generally implying commercial timber harvest) within its city limits.

In revising its plan, the City deleted these policies. Metro's draft plan review pointed out that if Forest Land classifications were established to preserve timber stands, the City would have to either acquire the lands or establish some compensation provisions. The City has adopted a policy (Policy #13) dealing with this issue, as discussed under Goal #5.

Conclusion: Happy Valley complies with Goal #4.

Goal #5 - Natural Resources

Metro's draft plan review asked for further information historic sites. Happy Valley has added discussion describing its historical sites and now complies with regional requirements.

The City has adopted several policies which prohibit or severely limit development on land within the City. Metro's draft plan review noted that, under Goal #5, the City should evaluate the economic, environmental, social and energy consequences of its policy. The City has adopted a blanket statement that:

"The environmental and social benefits associated with the avoidance of hazards and the retention of scenic open space should outweigh any development restrictions imposed upon property owners. (Happy Valley Plan Addendum, p. 7)"

This statement is made without referring to specific restrictions or justifying the criteria on which the designations were based. Staff concludes that this is not an adequate analysis in light of Goal #5 requirements.

In addition, the City argues that its density transfer mechanism can compensate landowners for any decreased development possibilities. However, the Happy Valley land use plan and development ordinance severely limit density transfers as a form of compensation.

First, landowners may have very little or no density to transfer. The City has designated many constrained areas, about 335 acres in all, for one unit per five acres. This leaves many landowners with very little density to transfer. In addition, landowners whose land is designated park, floodplain or insitutional use have no density to transfer because the City has not created any allowable density for these areas. Second, the City allows only one-half of the allowable density from any zone to be transferred. The transfer section of the Development Code provides that "50 percent of the development potential may be transferred to developable lands" (Development Ordinance, Section 5.053 E, p. 61). Thus, landowners whose land is designated for one unit per five acres have only one unit per 10 acres to transfer. This is not, in staff's view, adequate compensation, based on Happy Valley's analysis of the social and other impacts of its development restrictions. Third, the City allows density to be transferred only to its lower density

designated areas. For example, areas in the highest density classification - six units per net acre - may not receive any density transfers. This limits the effectiveness of density transfer as a compensation mechanism.

Because underlying densities are severely limited (or nonexistent), and because the landowner can transfer only one-half of the land's development potential, the Happy Valley ordinance provides an inadequate means of compensating landowners for development restrictions.

The City has not adequately analyzed the economic, social, environmental and energy consequences of its development prohibitions and dedication requirements. Nor has it established an effective means of compensation.

Conclusion: Happy Valley does not comply with Goal #5. In order to comply the City must:

- Analyze the economic, social, environmental and energy consequences of its development prohibition and dedication requirements;
- Adopt compensation mechanisms that will deal with the adverse impacts which are identified in its analysis of its development prohibition and dedication requirements.

Goal #6 - Air, Water and Land Quality

Metro's draft plan review identified several potential acknowledgment difficulties with the Happy Valley plan, all of which have been corrected by Happy Valley in its latest plan submission. Specifically, Happy Valley failed to include the required information about air pollution and did not identify Metro and the Department of Environment Quality (DEQ) as responsible agencies in dealing with air quality. The City has adopted language stating:

"MSD and DEQ are developing a regional control strategy to bring the metropolitan area into attainment by 1987. The city of Happy Valley will cooperate and work with these agencies to realize this goal." (Happy Valley Plan Addendum, p. 6)

The City's draft plan also lacks an adequate analysis of Happy Valley's water quality problem. The plan now describes the surface and subsurface water contamination problems that face the City. Additionally, Happy Valley omitted required language for coordination with regional water quality planning efforts. That language has been added as follows:

"Happy Valley recognizes and assumes its responsibility for operating, planning and

regulating waste water systems as designated in MSD's Waste Treatment Management Component." (Happy Valley's Plan Addendum, p. 8)

Metro's draft plan review also questioned the meaning of vague policy language relating to environment and density. The City has deleted that policy language.

In addition to the issues raised under Goal #6, Metro is concerned that a number of policies relating to sewerage in the Happy Valley area remain unresolved. DEQ has found a number of failing septic tanks in the Happy Valley area and has instructed the City since 1978 to prepare a sewer plan for the area. The City has not yet completed that sewer plan. While Metro believes that this is a Goal #11 issue, the failure to adequately sewer Happy Valley could result in severe water quality problems which may ultimately raise Goal #6 issues. This matter is more fully discussed under Goal #11.

Conclusion: Happy Valley complies with Goal #6.

Goal #7 - Natural Hazards

The City has, since Metro's draft plan review was completed, drafted a drainage ordinance implementing the City's drainage control policies and Metro's Johnson Creek guidelines. Metro's Environmental Services Division has reviewed that draft ordinance and finds that it is not only acceptable but is exemplary. All that remains is for the City to adopt this ordinance.

Conclusion: Happy Valley does not comply with Goal #7. In order to comply the City must adopt its draft drainage ordinance.

Goal #8 - Recreational Needs

Metro's draft plan review identified no Goal compliance issues under Goal #8.

Conclusion: Happy Valley complies with Goal #8.

Goal #9 - Economy of the State

Though Happy Valley has designated no land for commercial development, it has said it will reconsider the need for commercial land if residents should want it at some future time.

Conclusion: Happy Valley complies with Goal #9.

Goal #10: Housing

Overview: The major issue in the acknowledgment of the Happy Valley plan is housing. Metro's Draft Plan Review identified a number of plan policies that do not comply with Goal #10. This review reiterates those objections and further analyzes material presented by the City since Metro's initial review.

Metro's chief concerns fall into four areas; first, the analysis of development constraints; second, the analysis of its regional housing role; third, provisions for low cost housing and cost-moderating options; and fourth, lack of a sewer plan.

Constrained Lands Analysis

Happy Valley has a number of development hazards, notably steep slopes and poor drainage, which in some areas severely limit possible development. The City's analysis of these constraints has, according to Metro's Draft Plan Review, exaggerated the degree of constraint and unjustifiably limited the density of housing development within the City. Metro's objections fall into two areas. First, the City has exaggerated the degree of constraint on buildable land, and second, the City has failed to coordinate its density designations with its own analysis of site suitability.

Happy Valley has properly excluded much of the City's land - 335 acres in all - as being unbuildable because of slope, floodways and drainage problems. This portion of the City's analysis is consistent with the practice of other cities and is acceptable to Metro.

This exclusion left the City with slightly less than 800 acres of buildable lands. The City has taken the additional step of further classifying its buildable land according to the degree of constraint. In assigning densities to this buildable land, the City developed a composite of factors (slope, drainage and so forth) and applied these factors to the buildable land, even though it had already excluded all land made unbuildable by any of these factors.

Metro, in its Draft Plan Review, noted that while it is appropriate to vary densities based on site suitability, all of the density classes Happy Valley chose were too low and were unjustified by the constraint analysis. Happy Valley uses a very low five-acre minimum lot size to protect unbuildable areas. Yet it has taken this same category and applied it to nearly one-half of its buildable land. Metro's Draft Plan Review pointed out that this is inconsistent and unacceptable.

In addition, since the lowest class of buildable land is designated at a density that is also applied to unbuildable land, densities for all other land (which are set relative to the lowest density) are skewed downward. Thus, unconstrained land, flat and well-drained, is allowed to develop only to six units per acre - approximately 7,500 square foot lots.

Metro's Draft Plan Review noted that "the plan should be revised to designate land use densities consistent with the following guidelines:

1. All buildable land designated for at least one unit per net acre.

2. All buildable land with low-moderate, or better building suitability, unless demonstrated to be physically unfeasible to sewer designated for at least two units per net acre; and
3. All land with highest building suitability designated for a minimum of six units per net acre with provision for development at substantially higher densities (e.g., 12 units per net acre) as would be justified through a discussion of Happy Valley's role in meeting the regional housing need." (Metro Draft Plan Review, April 22, 1980, p. 8).

Metro stands by that recommendation and further notes that the City's ultimate aggregate densities should be consistent with an analysis of Happy Valley's role in meeting regional housing needs.

In addition to its inappropriately low densities, Happy Valley's plan also failed to establish a close correspondence between its suitability findings (as shown on a composite suitability map) and its land use density designations. For example, some areas with high suitability are given lower densities than areas with low suitability ratings. A detailed analysis by Metro staff shows that there are a number of areas in the two highest density classifications - four units per net acre and six units per net acre - which are also in the lowest suitability classifications. (See Map B). On a significant portion of the land designated for high density the City has not followed its own development suitability analysis.

The City's planning consultant explained that a number of factors produced deviations from the suitability analysis. In particular, the City considered existing neighborhoods, the need to spread development throughout the community, transportation factors and property owner desires in establishing densities different than those implied by the composite suitability analysis. Metro staff concludes that the composite development suitability factors do not represent limits on the buildable land in Happy Valley. Consistent with our earlier analysis and recommendations, Happy Valley can and should provide for a higher level of densities as indicated by its responsibility to meet regional housing needs.

Regional Housing Role

Metro's Draft Plan Review found that Happy Valley's plan blocked any discussion of Happy Valley's role in meeting regional housing needs. The City has not offered any new analysis of its responsibility to the region for housing supply.

Since the April 22, 1980, draft review was prepared, Metro and the LCDC have cooperatively developed a paper clarifying previous commission action interpreting Goal #10 requirements for the metropolitan area (under the UGB adoption and East Multnomah County, Fairview and Durham acknowledgment views). This is contained in a memorandum "Expectations for Goal #10 Acknowledgment in the Metro

Region" dated June 6, 1980. A copy of this memorandum was sent to the City when it was released. In general, Metro expects each of the major jurisdictions within the metropolitan area to plan for a single family/multi-family new construction mix of about 50/50 and densities of between six and ten units per net acre. We are willing to relax these specific density standards where jurisdictions make special provisions - such as smaller lot sizes and density bonuses - to moderate housing costs or where it is demonstrated that special locational considerations preclude higher densities.

While other jurisdictions, with larger current populations and better access to the Metro area have been asked to meet density standards of eight and ten units per net acre, smaller jurisdictions, like Happy Valley are given a lower target of six units per net acre.

Clearly, in light of UGB requirements and in order to assure regional compliance with Goal #10, each jurisdiction must meet the standard of a minimum of six units per net acre on buildable lands. The region is not asking that Happy Valley do more than any other city or county, and in fact, it is being asked to do substantially less than its neighbors (e.g., Clackamas County is required to plan for about 8 units per acre).

Happy Valley, however, seems to be planning to develop at essentially rural densities. A significant proportion of the City's buildable land is slated to develop at five-acre minimum lot sizes. The City's overall density for net buildable land (developed and vacant) is 2.46 units per net acre. The City has not, however, prepared data to enable Metro to compute the density of new development. Data for density categories is shown which combines vacant and built-on land. It is impossible from this tabulation to calculate the allowable densities on vacant land. Thus, while it is clear that Happy Valley has some 600 acres of vacant buildable land, Metro is cannot tell how many units can be built on that land and, consequently, on what will be the overall density of new development. In any case, the development density will be much less than the six units per net acre which Happy Valley needs to achieve to comply with Goal #10.

As part of its discussion of its housing situation, the City has examined several population estimates and developed a household size projection to help determine its future housing supply. Metro's Draft Plan Review noted that the household size which the City chose - 3.3 persons per household- was not justified in light of regional projections. The City has responded that this figure is accurate based on Happy Valley's present population. Their analysis, however, does not consider the fact that household sizes generally - both regionally and nationwide - are shrinking. Even though Happy Valley seems likely to have a higher than average household size that the exact figure will be less than the present 3.3 persons per household. Metro maintains, as it did in its draft review, that Happy Valley should further analyze its calculations to consider the declining household sizes.

Low Cost Housing and Cost Moderating Opportunities

Metro's Draft Plan Review noted that, consistent with Goal #10 as interpreted in Durham, Happy Valley has an obligation to meet the housing needs of the citizens of the region. Much like Durham, Happy Valley has not considered the needs of others. The City should provide the opportunity for housing within the economic reach of the citizens of the entire region.

While allowing jurisdictions ample latitude to develop their own plans, Metro has generally looked for a 50/50 single family/multi-family split as evidence of a city's commitment to providing affordable housing. The City has established a number of provisions in its development ordinance which preclude multi-family housing and which make other forms of moderate cost housing difficult, if not impossible, to provide within the City.

The City's ordinance allows multi-family development under its planned unit development ordinance and allows mobile homes within all zones (on individual lots) subject to subdivision and site design approvals. Metro applauds the City's substantial progress in these areas. The City has not, however, established clear and objective standards for approving multi-family development and mobile homes as required in the St. Helens decision.

Without clear and objective approval standards, developers and landowners have no certainty as to whether these housing types will be permitted by the City. Similarly, without such standards Metro has no way of knowing whether Happy Valley will meet its responsibility to provide for moderate cost housing. Metro staff's detailed analysis of the City's development ordinance is presented in Appendix A. The key points of that analysis are presented here.

Impact Statements: The City requires an extensive impact statement for all subdivisions and planned unit developments on matters ranging from geology to school and economic impacts. According to the development ordinance the City shall not allow projects where the "demerits of the proposal outweigh the merits" (Section 5.033clc). This broad and unfocused impact statement requirement gives the City substantial latitude to approve or deny subdivisions or planned unit developments.

Neighborhood Compatibility Requirement: Planned unit developments must meet a standard of neighborhood compatibility. Neighborhood compatibility is not defined, and could be used to deny a development that is not similar to Happy Valley's present very low density housing. (Section 5.034)

Discretionary Site Plan Approval: All buildings in Happy Valley must receive site plan approval. This applies to single family, multi-family and mobile home developments. In order to be approved the City must find "that the design of the land development is not detrimental to the public health, safety, general welfare or to

adjacent properties" and "the site plan and building design does not impair the desirability of investment or occupation of adjoining area, is not detrimental to orderly development and does not depreciate land values by being unsightly, undesirable or obnoxious in appearance with the surrounding areas" (Section 9.04). These site plan approval standards give the City virtually unfettered discretion to disapprove needed housing types.

Lot Sizes: In addition to discretionary approval standards, the City's development ordinance gives it the power to lower densities at its discretion. Provision for land partitioning and Planned Unit Developments allow the City to increase lot sizes. The Planning Commission may increase minimum lot sizes, irrespective of land use plan designations, based on its judgment about soil and slope building limitations. Metro staff is concerned that these provisions duplicate the City's constraint-based land use designations. Moreover, there are no limits to which the City may increase lots sizes; conceivably all land could be required to be one or five acre lots.

Each of these review processes injects considerable uncertainty into the development process, and makes it impossible for Metro to determine whether any housing development will occur.

In addition, the City's impact statement regulation requires developers to provide extensive technical information on hydrology, geology, vegetation, atmosphere, schools, the economy, transportation and other impacts. Metro objects to this for two reasons. First, this laundry list imposes substantial costs on developers that they will doubtless pass on to home buyers and renters. Second, most if not all, of this information should be collected as part of the City's planning effort.

Metro is not opposed to the impact statement as a planning tool. It can, for example, aid in deciding on the proper development for site specific problems such as drainage and slopes. It is not appropriate, however, to require information that is not reasonably related to a specific planning end. Moreover, the City has already adopted very detailed limitations of the construction on buildable land based on constraints which developers must again analyze as part of the impact statement requirement.

Dedications: Happy Valley's Development ordinance requires that developers dedicate one acre or \$5,000 (at the City's discretion) for every five acres or fraction thereof, to be used for parkland. In addition, there is a \$1,000 per acre park maintenance fee (Section 5.035 H). It is likely that these fees will have an impact on housing costs. The City has not analyzed any impacts. Metro staff suggests that the City consider these impacts in analyzing whether and how it meets its housing needs.

The City's failure to provide for multi-family housing as an outright use and the lack of clear and objective approval standards for all types of housing, including moderate cost housing, raise

severe questions about the City's ability to meet even the low densities which it has projected.

Lack of a Sewer Plan

Happy Valley has been under an order from the DEQ to prepare a sewage facility plan since June, 1977. Metro's Draft Plan Review noted several deficiencies in Happy Valley's current plan relating to sewers: First, it is not possible to determine whether buildable lands are in fact available for development until the City adopts a sewer plan, and second, the City has not adopted any policies requiring sewers for development.

Though this appears to be a Goal #11 (Public Facilities) issue (which it is), sewer availability is critical to housing development and Happy Valley's compliance with Goal #10. Unless sewers are provided with adequate capacity and in those areas where densities require them, planned housing will not be built.

In a city where there are presently no sewers, where a health hazard has been declared by DEQ, where the availability of land for needed higher density development depends on sewers, and where sewer planning has taken more than three years, Metro must continue to insist that a sewer plan or definitive sewerage policies be submitted before compliance with Goal #10 can be ascertained.

Density Transfer

The City's development ordinance includes a provision for density transfer. The City allows landowners whose land is constrained by slope, drainage or flooding problems to transfer one-half of the underlying density to other parts of their developable property. One purpose of this provision is to allow landowners compensation for development restrictions imposed on unbuildable lands. In addition, density transfer is one way in which the City helps to meet Goal #10. Densities transferred from unbuildable land add to the City's total number of projected new housing units. As noted in the discussion under Goal #5 the City's density transfer provisions have a number of flaws which restrict their effectiveness. Most notable from a housing standpoint are provisions restricting transferable density to one-half the underlying density and a prohibition on increasing densities above six units per net acre. This latter provision makes it almost economically impossible to construct multi-family housing in Happy Valley because each unit must have a minimum of 7,500 square feet of lot area. Even minimal apartment densities, eight to twelve units per acre, are not allowed under the City's development ordinance.

Conclusion

Happy Valley does not comply with Goal #10 - Housing.

In order to comply the City must:

1. Recognize its responsibility to help meet regional housing needs;
2. Establish residential densities of approximately six units per net acre and provide the opportunity for a 50/50 single family/multi-family housing mix;
3. Provide clear and objective approval standards for needed housing types;
4. Adopt a sewer plan and/or definitive sewer extension policies which support the housing densities described in point 2 above;
5. Eliminate provisions of its development ordinance allowing the City to arbitrarily increase minimum lot sizes; and
6. Analyze the impacts of its dedication and fee requirements and assure that these requirements do not inordinately raise housing costs.

Goal #11 - Public Facilities and Services

Metro has long taken the position that Goal #11 compliance for the City of Happy Valley requires completion of its sewer plan. Metro's progress review of the City's plan in February, 1979, and its March, 1980, favorable recommendation to LCDC on the City's planning extension request were premised on the understanding that the City would complete its sewer plan and strengthen its policies on sewer provision prior to acknowledgment. That position was reiterated in Metro's April, 1980, draft plan review which stated "the City must complete Step 1 (Sewerage Treatment Alternative Selected) and Step 2 (Sewer System Plan) before acknowledgment." (Draft Plan Review, p. 9, emphasis added).

The present Happy Valley plan does not contain clear policies on sewer extension for development and contains only more assurances that the City will ultimately develop a sewer plan. Clackamas County, which signed a Dual Interest Agreement with the City covering sewerage and annexation issues, has expressed the concern that Happy Valley's sewage treatment plan or lack thereof, will control the development of approximately 400 acres east of Happy Valley recently included in the UGB. Metro staff continues to insist that Happy Valley prepare and adopt a sewage treatment and/or definitive sewer policies prior to the time that it is acknowledged.

The issues of sewer service and densities most clearly illustrate the problems involved in the City's choice of an essentially rural future. At the densities the City has chosen, sewers may be economically infeasible. And since the City has not prepared a sewer plan, Metro does not know whether development will occur as planned and Happy Valley residents and landowners do not have a

clear idea of the costs and consequences of their development options. On a per household basis, the costs of sewers for low density development could far exceed the cost of sewers for urban densities. In the staff's view, this issue is fundamental not only to Goal #10, but also to Goal #11, which implies that cities should make ultimate policy choices about the level and cost of public facilities.

Metro's draft plan review noted that the City lacked a stormwater drainage management plan. The City has since drafted such a plan which Metro's Environmental Services Division has reviewed and commended. The City has not, however, adopted this plan. Adopting this ordinance in a form substantially similar to that submitted to Metro is necessary for Goal #11 compliance.

Metro's draft plan review noted that the City had not adopted regionally required language recognizing Metro's role in solid waste and wastewater management. The City has subsequently adopted that language, which reads:

"Policy 67a: Solid waste disposal is a regional concern requiring regional solutions. The city of Happy Valley recognizes Metro's responsibility and authority to prepare and implement a Solid Waste Management Plan, supports the Metro procedures for siting sanitary landfill and will participate in these procedures as appropriate."

The wastewater coordination language provides:

"Policy 65a: The City of Happy Valley recognizes and assumes its portion of the responsibility for and participation in the operation, planning and regulation of wastewater systems as designated Metro's Waste Treatment Management Component. In addition, Happy Valley supports Metro's role in the overall responsibility for Waste Treatment Management."

Conclusion: The City does not comply with regional requirements for Goal #11. In order to comply the City must:

1. Prepare and adopt a sewage treatment plan and/or definitive sewerage policies for the City.
2. Adopt its draft Stormwater Drainage Plan.

Goal #12 - Transportation

Metro's draft plan review requested submission of more detailed traffic analysis. The City has submitted this information to Metro.

Metro's Transportation Department has identified Happy Valley road designations which are inconsistent with those adopted by the City of Portland and Clackamas County. Metro expects that these discrepancies can be resolved in the Regional Transportation Plan (RTP) process.

Happy Valley's Draft Traffic study presents information requested by Metro in its draft plan review and outlines potential improvements in Happy Valley's road system. The study also contains the statement that:

"It may prove to be a physical impossibility to construct adequate additional surface width. If this is the case, then Mt. Scott Blvd. will never be capable of handling the post development traffic volumes, as its capacity is only 70 percent of projected traffic volumes. In effect, this would limit future development to 70 percent of that which is proposed in the comprehensive plan." (Traffic Study, p. 3)

This statement is particularly troubling. It is not clear whether it is meant as policy or how it relates to other elements of the Happy Valley plan. At a minimum this raises questions regarding compliance with Goal #12 and possibly Goal #2 (Land Use Planning). It causes Goal #12 problems because it indicates that the City has not adequately planned for its expected transportation needs. It causes Goal #2 problems because it indicates that the City's transportation analysis has not been related to the the City's housing and population analysis. In either event, the City should clarify the meaning of this statement.

Conclusion: Happy Valley does not comply with Goal #12. In order to comply the City must clarify its transportation study and relation of road capacity to ultimate development in the City.

Goal #13 - Energy Conservation

The City has included information which Metro asked for on energy conservation in the City.

Though the City provides no commercial land, and consequently residents must shop elsewhere, Metro considers the energy consequences of this action to be of local not regional concern.

Conclusion: Happy Valley complies with Goal #13.

Goal #14 - Urbanization

Metro's draft plan review noted that Happy Valley had not acknowledged Metro's role in reviewing and approving changes to the

UGB. The City has subsequently added language recognizing Metro's role as follows:

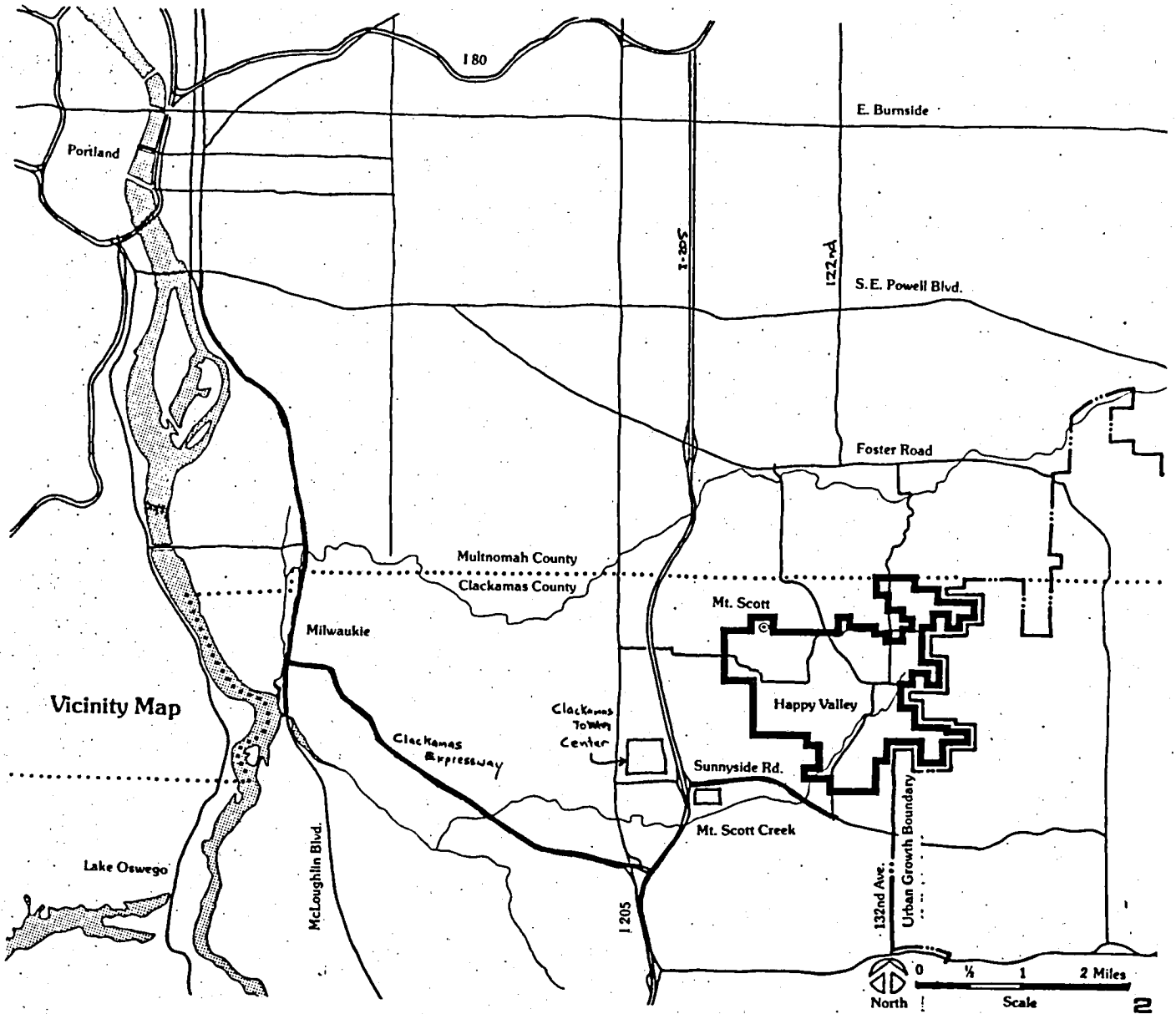
"Applications to amend the Urban Growth Boundary must be submitted to Metro." (Happy Valley Plan Addendum, p. 10).

Conclusion: Happy Valley complies with Goal #14.

JC:ss
1304B/193

MAP A

Happy Valley's Location in the Urban Area

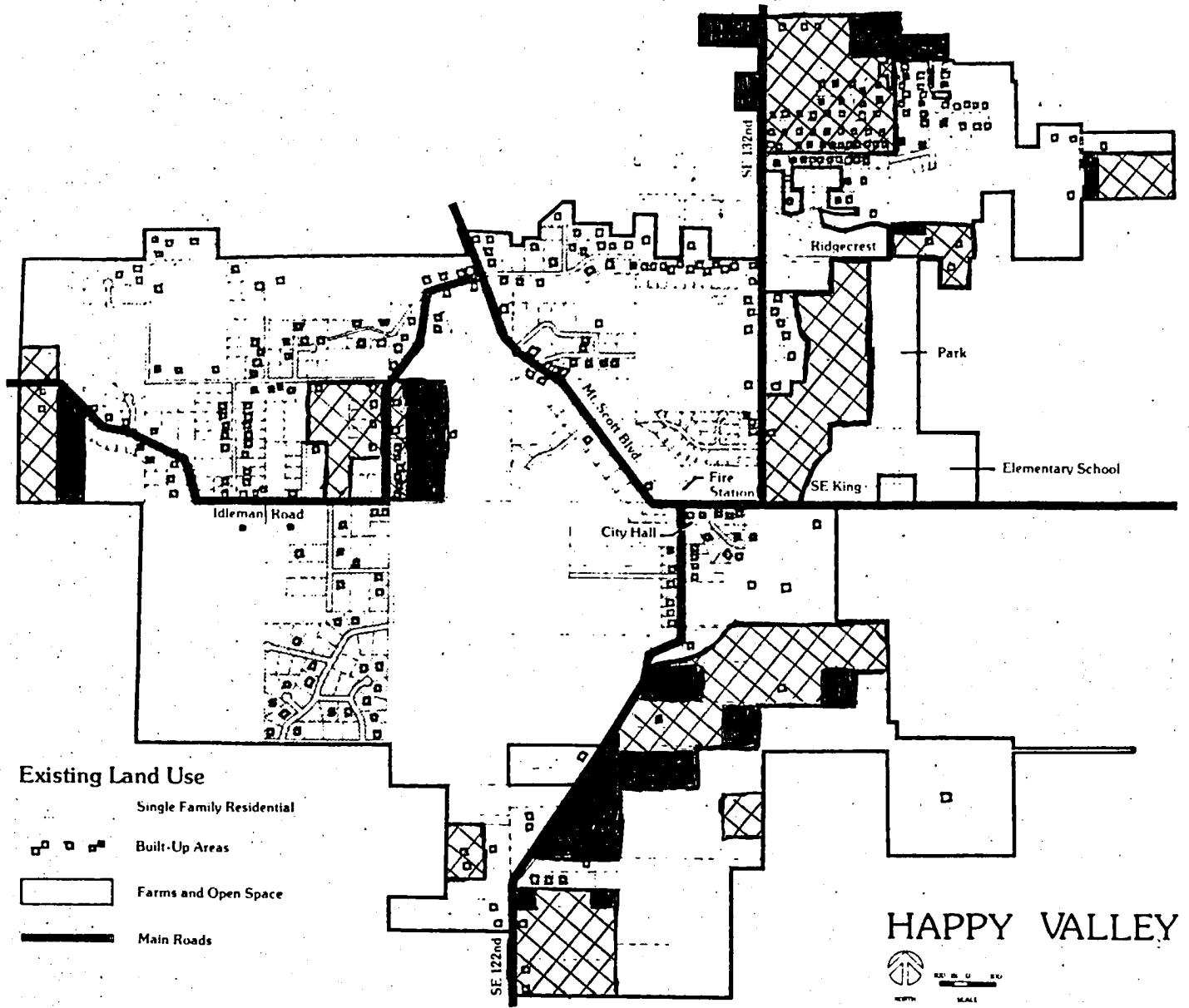


Source: Location Map (Map #2, Happy Valley Plan)

Additional features added by Metro staff

MAP B

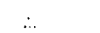

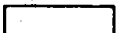

High Density Designated for Low Suitability Areas



HAPPY VALLEY



Existing Land Use

-  Single Family Residential
-  Built-Up Areas
-  Farms and Open Space
-  Main Roads



4-6 acre density in low or low moderate suitability areas



4-6 acre density in moderate or higher suitability areas

Source: Composite suitability map (#8, Happy Valley Plan) overlaid on Happy Valley Land Use Map (#10)

Prepared by Metro staff, sizes and locations approximate

APPENDIX A

HAPPY VALLEY DEVELOPMENT ORDINANCE REVIEW

This is an analysis of the Happy Valley Development Ordinance (Ordinance No. 76, August, 1980). Happy Valley's Development Ordinance contains a number of provisions which cause severe Goal #10 problems. First, the ordinance contains vague and discretionary provisions that may preclude needed housing. Second, the ordinance undermines needed density provisions.

Development Ordinance is Vague and Discretionary

LCDC's St. Helens doctrine has established the principal that needed housing types must be subject to clear and objective standards if they are not allowed outright in at least one zone. Happy Valley has established vague and discretionary approval standards on at least three levels in its development process, any one of which could be used to deny needed housing development. The three levels are impact statements, PUD approval standards and site plan review.

Impact Statements

All subdivisions and Planned Unit Developments (PUDs) must file a statement assessing hydrology, geology, vegetation and animal life, the atmosphere, school impacts, economic impacts, transportation and other public considerations. All of these matters are, of course, important to the evaluation of any project. Taken collectively, however, they impose a substantial information burden upon the developer. In addition, the ordinance provides that the impact statement is supposed to be critical to the decision to approve the planned subdivision or PUD and states "if after the analysis of the impact statement, it is seen that the demerits of the proposal outweigh the merits, the proposed subdivision or PUD shall not be allowed." (Ordinance 5.033C1C, p. 37-38).

This would not be a serious problem save for the fact that many of the listed considerations involve discretionary judgments. For example, the public considerations include "a detailed discussion of how the public will benefit from the proposed development" and goes on to say the applicant must "illustrate the demonstrated public need for the proposed project." This sort of catchall language makes approval standards very ambiguous and creates great uncertainty for developers and landowners about how their land may be developed. This long list of review items, without clear, specific and objective criteria for approval, confers virtually unlimited discretion upon the city to approve or disapprove projects as it pleases.

PUD Approval Standards

All PUDs must be approved by the Planning Commission and the City

Council. In addition, subdivisions of more than ten units also require approval under PUD standards (Ordinance Sec. 5.034). In addition to other standards, PUDs must meet the standard of "compatibility with the neighborhood." The ordinance requires that the PUD "plan and program shall be consistent with and ensure compatibility with the neighborhood and comprehensive plan." (Ordinance Sec. 5.042d2b1). Again, this provision provides ample opportunity to arbitrarily deny subdivision and PUD approval.

Site Plan Review Standards

In addition to other requirements, Planning Commission approval is required for all new buildings and additions in Happy Valley. As stated in the ordinance, the purpose of site plan review is to assure that development will "not be detrimental to the public health, safety and general welfare or to adjacent properties." (Sec. 9.01 p. 91). In order to be approved, a site plan requires the City to find that "the design of land development is not detrimental to the public health, safety, general welfare or to adjacent properties" and "the site plan and building design does not impair the desirability of investment or occupation of adjoining areas, is not detrimental to orderly development and does not depreciate land values by being unsightly, undesirable or obnoxious in appearance with the surrounding area." (Sec. 9.04 p. 92).

Each of these provisions creates a substantial uncertainty for builders and landowners as to the future uses allowed on their property. Despite the assurances of the present City Council, future City Councils will have virtually unfettered discretion, by means of any of these provisions, to approve or disapprove development without regard to the comprehensive plan or regional housing needs. As such, the Happy Valley Development Ordinance does not provide for the clear and objective standards for needed housing types that are required by the LCDC St. Helens Development Policy.

Development Ordinance Undermines Density Provisions

In addition to provisions which provide for the outright denial of certain housing types in Happy Valley, the development ordinance also allows the City to limit or condition of development in other ways, short of outright prohibition. Several of these policies, notably those affecting density, impair the City's ability to meet regional expectations for housing.

The plan's density provisions - from which Goal #10 compliance is to be ascertained - hinge on the reliability of the density established in each of the plan's designated residential areas. The plan, we think inappropriately, sets densities for buildable land based on "relative" constraints, i.e., the degree of slope for land with less than unbuildable slopes. What the City does, in effect, is take two cuts at the buildability of residential land. First, it prohibits altogether construction on land with severe hazards. Second, and in addition, it further restricts development possibilities on lands with less than severe constraints. What in effect the City is

doing, is double counting its limitation on buildable land. First, by eliminating some land outright, and then further by constraining the remaining land which is by definition, buildable. In addition to these limitations established by land use designation, the City further reserves to itself the power to further reduce densities through its subdivision and PUD approval processes.

Separate provisions for major partitioning (Sec. 5.0241a 1 and 2) and Subdivisions and Planned Unit Developments (Sec. 5.034e 1 and 2) allow the City to increase lot sizes: "The lot size may be increased due to the subsurface soil conditions if determined to be necessary by the City" and "as the percent of slope increases, density shall decrease to partially or completely avoid the problems of drainage, siltation, slippage, flood control and accessibility which are frequently attributable to overdevelopment of slope areas. This shall be ascertained by the Planning Commission." (Ordinance Sec. 5.024cla 1 and 2, p. 33).

This provision, in effect, enables the City to triple count constraints on buildable land in setting densities. First, it determines constraints by excluding altogether land which is determined to be unbuildable. Second, it imposes densities in its land use designation which are further based on constraints, and finally, in its platting process, the City empowers itself to reduce densities still further, once again based on its analysis of land constraints.

This approach clearly lowers densities below those which are justifiable given an accurate analysis of constraints, i.e., one which only counts constraints once.

In addition to severe limits on the allowable density in planned designations and in partitioned land, density transfers - upon which the plan relies for compensating persons whose land is designated for open space or other preservations-are severely limited in the plan. Limits are imposed in two ways. First, density transfers are based on very low allowable densities set in the plan and further set in the platting process. Second, density transfers themselves are limited to 50 percent of the allowable density from the zone which the transfer is being made. The combination of these limitations is to severely limit the efficacy of density transfer as a means of compensating landowners for the dedication of constrained lands.

The Happy Valley Development Ordinance contains a number of provisions providing for vague and discretionary review and a variety of means for reducing densities below those established in the plan. Taken together these problems raise serious questions about the community's ability to assume its responsibility to meet regional housing needs as required by Goal #10.

JC/et
1157B/D4

A G E N D A M A N A G E M E N T S U M M A R Y

TO: Council Coordinating Committee
FROM: Executive Officer
SUBJECT: FY 1980 Audit Report

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Adopt Resolution responding to comments made in the FY 1980 Audit Report.
- B. POLICY IMPACT: No policy decision changes are required in the current year budget since all year end fund balances are reported higher than anticipated or substantially the same.
- C. BUDGET IMPACT: A summary of the changes in fund balance is attached. A review of these changes will be made during the supplemental budget process and recommendations made on the appropriation of the increased funds.

II. ANALYSIS:

- A. BACKGROUND: Independent audit of Metro's financial records is required by the State law and must be transmitted to the State Treasurer's office by December 31 of each year, along with a resolution from the Council responding to problem areas noted in the report. This report is the second and final part of the total FY 80 Audit Review. The Council received the Report to Management last August which commented on the management of the accounting system. The final report contains the financial statements for the fiscal year.
- B. ALTERNATIVES CONSIDERED: The audit itself is required by State law. The comments made in the management letter indicated the corrective action required. If this action is not taken, Metro could be subjected to an unfavorable report in the future.
- C. CONCLUSION: The problem areas raised by the audit are being resolved as indicated in the Resolution responding to the audit report.

CS/ss
1351B/188

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF RESPONDING
TO FY 1980 AUDIT REPORT

) RESOLUTION NO. 80-211
)
) Introduced by the Council
) Coordinating Committee

WHEREAS, State law requires the governing body of each
municipal corporation to respond to comments and disclosures noted
in the year end audit report; and

WHEREAS, The audit for FY 1980 contains comments in the
following area requiring a response; now, therefore,

BE IT RESOLVED,

1. That the staff be directed to more closely monitor
the budget to assure that expenditures do not exceed the amount for
the major appropriation categories in each fund.
2. That procedures be established to assure that as new
investments are made that all demand deposits are sufficiently
collateralized.
3. That all grant reporting schedules are met as soon as
the new accounting system is operational in January, 1981.
4. That all interest on investments earned on federal
grants continue to be applied to approved projects activities or in
reducing project costs.
5. That steps be taken to assure that necessary changes
in the UMTA Unified Work Program are made prior to the year end
budget.

ADOPTED by the Council of the Metropolitan Service District
this 18th day of December, 1980.

Presiding Officer



METRO

METROPOLITAN SERVICE DISTRICT
527 SW. HALL ST., PORTLAND, OR. 97201, 503/221-1646

MEMORANDUM

Date: December 10, 1980
To: Metro Council
From: Executive Officer
Regarding: Summary of FY 80 Audit Report

1. Changes in Fund Balance:

The following is a comparison of budgeted fund balances to audited fund balances:

<u>FUND</u>	<u>BUDGETED</u>	<u>ACTUAL</u>	<u>CHANGE</u>
General Fund	\$ 250,000	\$ 318,411	\$ 68,411
Solid Waste Operations	1,252,210	1,233,273	(18,937)
Solid Waste Capital	2,962,100	3,814,715	852,615
Solid Waste Debt	0	0	0
Zoo Fund	2,010,277	2,531,757	521,480
Drainage Fund	8,741	*8,737	(4)
Transportation Technical Assistance Fund	0	0	0
Criminal Justice Assistance Fund	0	0	0
TOTAL	\$6,483,328	\$7,906,893	\$1,423,565

*The audit shows a actual fund balance in the Drainage Fund of \$1,221. The difference of \$7,516 is from a balance remaining on a contract from the city of Tualatin for \$8,664 and monies of \$1,148 owed to Metro from the city of Tualatin. The \$7,516 can be appropriated for future expenditures on the city of Tualatin project.

2. Response to Audit Comments:

These comments refer to the audit comments and disclosures section, page 44.

a. Budgeting and Compliance:

Comment: The Zoo Fund Capital Outlay expenditures exceeded the appropriated amount by \$5,118 (p. 46, Section III).

Action: All funds will be closely monitored to assure that expenditures do not exceed the budgeted amount. Departments will be notified within two months prior to the end of the fiscal year of potential problem areas.

b. Collateral Secured Depository Balances:

Comment: The audit disclosed that collateral securing the District's demand deposits held by U.S. National Bank of Oregon and First National Bank of Oregon was inadequate at various times during the year (p. 47, Section V).

Action: At this time all demand deposits have been sufficiently collateralized. As new investments are made procedures at both banks have been set up to automatically secure all demand deposits.

c. Programs Funded from Outside Sources:

Comment: Grant reports were not always reported on a timely basis (p. 47, Section VII).

Action: The staff will have the ability to file financial reports according to schedule when the new accounting system is fully operational in January of 1981.

Comment: Minimum cash balances were not maintained in the Criminal Justice Assistance Fund, grant terms have been violated on interest earned on cash balances (p. 48, Section VII).

Action: A provision in the grant terms states "Interest and all other income should be applied to project purposes or in reduction of project costs." The interest earned will be applied to in-house planning in the Criminal Justice Division. The Oregon Law Enforcement Council has recently audited the District and has found no problem with using the interest income for the in-house planning purposes.

d. Comment: UMTA's approval of the revised Unified Work Program involving the propriety of approximately \$72,000 in grant revenues had not been received (p. 48, Section VII, A).

Memorandum
December 10, 1980
Page 3

Action: UMTA has examined the revised FY 79 and FY 80 Unified Work Program and has verbally approved the revisions contingent on the Metro's Council approval. The revisions are on the December 18, 1980, Council agenda.

CS:ss
1353B/192

A G E N D A M A N A G E M E N T S U M M A R Y

TO: Regional Planning Committee
FROM: Executive Officer
SUBJECT: Appointment of Members to Fill Vacancies on the Water
Resource Policy Alternatives Committee (WRPAC)

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Appoint the following individuals to fill the construction industry and water recreation organization vacancies on WRPAC.

Nominee

Representing

Jim Elting
Elting, Inc.
P.O. Box 366
Clackamas, Oregon 97015

Construction Industry

Don Church
Columbia River Yachting Assoc.
5319 SW Westgate Drive
Portland, Oregon 97221

Water Recreation Organization

- B. POLICY IMPACT: This action follows through on earlier Council action establishing WRPAC.
- C. BUDGET IMPACT: None.

II. ANALYSIS:

- A. BACKGROUND: In July, 1980, the Council appointed members to the reorganized WRPAC. The construction industry and water recreation organization positions have remained vacant until this time. This Committee currently has 25 members, 16 of whom represent government agencies and nine of whom are citizen representatives. The recommended appointments will complete the WRPAC membership and increase the number of citizen representatives to 11.
- B. ALTERNATIVES CONSIDERED: None.
- C. CONCLUSION: The above listed nominees should be appointed to fill the WRPAC vacancies.

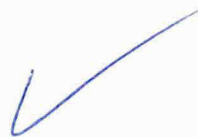
GB:ss
1171B/188

MEETING TITLE

Regular Council Meeting

DATE

12-18-80



NAME

AFFILIATION/ADDRESS

Ben Benson

Fair Share Powellhurst Chapter

CARIS RABER

W.H.F

Viola KOWETSKY

Fair Share Powellhurst

Ernie Franman

RAFT

Helen Endicott

RAFT

Dora Tomaco

RAFT

Floyd M Hartwell

E.H.

Tom Barnes

Up-the-Creek

Ruby Robillard

- - -

Frances Hall

Fair Share

Beth Bluet

LWU-OBSERVER

Bob Bluet

"

Tom Hennehy

Citizen

Lynne Johnson

Fair Share

Don Brown

RAFT - Milwaukie

Marta Baettcher

RAFT - Milw

Lee Hill

Fair Share

Oliver J. Domreis

Multnomah County

Bill Bradless

RAFT

Willis Witter

RAFT,

Alone Hill

Fair share

Edward Dahl

W.S. Sandberg

General RE#1 Box 909

MEETING TITLE Regular Council Meeting

DATE 12-18-80

NAME

AFFILIATION/ADDRESS

Jeff Anderson
Kew Bunker
ETHAN SELTZER
BARRY MILLER
Richard Shaffer
Rodneya Deborah Hale
K E Johnson
Margaret Mrs Bob Jackson
Emily L. Hamiller
Bob Weil

Fair Shore/1973 SE Ash
Citizen
3782 SE 11TH AVENUE PORTLAND 97207
6558 S.E 108TH AVE
City Council - Happy Valley
Raft
J.C. Tash Free
Raft-
Raft

MSD COUNCIL
ROLL CALL ROSTER

AGENDA ITEM

MEETING DATE

Roll Call

12-18-80

	<u>AYE</u>	<u>NAY</u>
<u>DISTRICT 3</u> Craig Berkman	<u>✓</u>	<u>_____</u>
<u>DISTRICT 4</u> Corky Kirkpatrick	<u>_____</u>	<u>✓</u>
<u>DISTRICT 5</u> Jack Deines	<u>✓</u>	<u>_____</u>
<u>DISTRICT 6</u> Jane Rhodes	<u>✓</u>	<u>_____</u>
<u>DISTRICT 7</u> Betty Schedeen	<u>✓</u>	<u>_____</u>
<u>DISTRICT 8</u> Ernie Bonner	<u>✓</u>	<u>_____</u>
<u>DISTRICT 9</u> Cindy Banzer	<u>✓</u>	<u>_____</u>
<u>DISTRICT 10</u> Gene Peterson	<u>✓</u>	<u>_____</u>
<u>DISTRICT 12</u> Mike Burton	<u>✓</u>	<u>_____</u>
<u>DISTRICT 1</u> Donna Stuhr <i>OCEAN</i>	<u>✓</u>	<u>_____</u>
<u>DISTRICT 2</u> Charles Williamson	<u>✓</u>	<u>_____</u>
<u>DISTRICT 11</u> Marge Kafoury	<u>✓</u>	<u>_____</u>
TOTAL	<u>_____</u>	<u>_____</u>

2 issues:

1. Issue of the 4 points of concern
to Fair Share — Gen. Berkman
2. Issue of the proposed election
on Feb. 17 — Up the Creek.
AG opinion —

Charles Williamson
District 2

Craig Berkman
District 3

Corky Kirkpatrick
District 4

Jack Deines
District 5

Jane Rhodes
District 6

Betty Schedeen
District 7

Caroline Miller
District 8

Cindy Banzer
District 9

Gene Peterson
District 10

Marge Kafoury
District 11

Madam Chairman

I move that the Metro Council
Recommend to EOC a delay of
6 to 12 months in the
backyard burning ban in the
P.L.C. Metro Area or until an
economical alternative to land filling is
found -

Charles Williamson
District 2

Craig Berkman
District 3

Corky Kirkpatrick
District 4

Jack Deines
District 5

Jane Rhodes
District 6

Betty Schedeen
District 7

Caroline Miller
District 8

Cindy Banzer
District 9

Gene Peterson
District 10

Marge Kafoury
District 11

OREGON FAIR SHARE

519 SW Third, Suite 409, Portland, Oregon 97204 (503) 223-2981

December 16, 1980

TO: News Media

RE: Metro Council Vote on Repeal of Johnson Creek LID
Thursday, December 18
7:30 p.m.
Metro offices, 527 SW Hall

CONTACT: Jeff Anderson, Joan Vallejo: 223-2981
Letty Barrett: 654-5184

METRO COUNCIL TO RESPOND TO FAIR SHARE'S JOHNSON CREEK PROPOSALS

Oregon Fair Share will continue to call for an end to the Johnson Creek LID and the beginning of a new program for flood control at the Metro Council meeting Thursday, December 18.

Two weeks ago, the Metro Council committed itself to a Dec. 18 response to four Fair Share proposals. They include:

1. Putting Metro staff time into the creation of a plan for Johnson Creek which involves financing flood control through an economic development program rather than through taxes, and cooperating with other public agencies in formulating the plan.
2. Continuing as local sponsor for Army Corps of Engineers' involvement in the project.
3. Supporting new legislation that requires a positive vote to form LID's, replacing the remonstrance process.
4. Assuring the public the current LID will not be revived.

The Metro Regional Services Committee approved three of the four proposals December 9, including a recommendation to the full Council to repeal the Johnson Creek LID.

Milwaukie Fair Share member Letty Barrett commented, "Metro's vote Thursday will prove whether they're wholeheartedly attempting to solve the problem of Johnson Creek or whether they intend to leave the people of the Basin in limbo about their real intentions. Fair Share wants Metro to make it clear that the LID is finished and to move on to new solutions."

Metro Council meeting
18 December 1980

According to ORS 268.150, newly elected Metro Councilors shall take office on the first Monday in January.

On January 5th, there will be eight councilors taking office, including six councilors elected to four year terms and two councilors elected to two year terms.

According to ORS 268.160, at the first meeting after January 1st of each year, a presiding officer shall be elected by council members.

Therefore, this Metro Council requests the following action to take place:

1. Staff is requested to make preparation for a swearing-in ceremony to be held at Noon on Monday, January 5, 1981 in the Metro Council Chambers.
2. Hold-over councilors and newly elected councilors shall meet during the week of December 29--January 2 for the purpose of caucusing on the issue of a new presiding officer and vice presiding officer.
3. The new presiding officer and vice presiding officer shall be elected and sworn in at the Council's meeting on Thursday, January 8, 1981.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF RESPONDING
TO FY 1980 AUDIT REPORT

) RESOLUTION NO. 80-211
)
) Introduced by the Council
) Coordinating Committee

WHEREAS, State law requires the governing body of each municipal corporation to respond to comments and disclosures noted in the year end audit report; and

WHEREAS, The audit for FY 1980 contains comments in the following area requiring a response; now, therefore,

BE IT RESOLVED,

1. That the staff be directed to more closely monitor the budget to assure that expenditures do not exceed the amount for the major appropriation categories in each fund.

2. That procedures be established to assure that as new investments are made that all demand deposits are sufficiently collateralized.

3. That all grant reporting schedules are met as soon as the new accounting system is operational in January, 1981.

4. That all interest on investments earned on federal grants continue to be applied to approved projects activities or in reducing project costs.

5. That steps be taken to assure that necessary changes in the Unified Work Program are made prior to the end of the fiscal year.

ADOPTED by the Council of the Metropolitan Service District
this 18th day of December, 1980.

Presiding Officer



METROPOLITAN SERVICE DISTRICT
527 S.W. HALL ST., PORTLAND, OR. 97201, 503/221-1646

MEMORANDUM

Date: December 11, 1980
To: METRO Council
From: Marge Kafoury, Presiding Officer
Regarding: Johnson Creek LID

On December 18, we as a Council will consider a recommendation from our Regional Services Committee to repeal Ordinance 80-91 establishing the Johnson Creek Local Improvement District. I do not believe the LID should be repealed, for the following reasons:

1. Johnson Creek is our responsibility. The creek flows through six separate jurisdictions, making it clearly a regional issue. If you remember, we as a Council unanimously declared Johnson Creek a problem of significant regional impact after we first took office (Resolution 79-35, March 22, 1979).
2. The Local Improvement District has been controversial, but we have made considerable progress with groups like Fair Share in discussing both its benefits and drawbacks. The Council has continually stated that it will not assess anyone in the LID until an election has been held. If necessary, we can reaffirm that commitment with a resolution. But we should not disappoint the good faith of groups like Fair Share, who now believe that METRO should keep the LID until we can determine whether new legislation will make it workable. To abandon the LID at this point will likely confuse the citizens, and may confuse some State legislators as well.

Further, the Services Committee has recommended that we appropriate \$5,000 to allow METRO staff to continue meeting with concerned citizens to discuss Johnson Creek alternatives. It would seem inconsistent to appropriate this money and, at the same time, repeal the alternative that we have identified as best -- a Local Improvement District.

Everyone concerned -- even our harshest critics -- agree that Johnson Creek is a serious problem, and that METRO should do something about it. I would also like to remind the Council of the slide show we saw on Dec. 4. Bellevue did not give up in the face of controversy -- and neither should we.

3. The U.S. Army Corps of Engineers has indicated that we will most likely lose the \$4.3 million now available in federal funding if we repeal the LID. The Corps originally requested this money from Congress based on METRO's commitment to forming a Local Improvement District. The LID allows us to meet the Corps' requirements for assurance that Johnson Creek improvements will be maintained.

In addition, this Council borrowed and spent \$40,000 from the six affected local jurisdictions to begin the LID project. It seems neither prudent nor wise to eliminate that project when we have not fully considered its potential or identified a workable alternative.

4. The Local Improvement District provides an option for Johnson Creek that should be kept open. It is true that we could form another Local Improvement District at a later date. But this Council would then be subjected to another round of public hearings on formation of an LID, and be forced to re-establish progress that has already been made. The public's attention is currently focused on the structural difficulties of implementing our LID. If we dissolve the LID, we revert public attention back to the question of whether an LID should even exist.
5. The original recommendation for the LID came from a citizens' task force that studied the Johnson Creek alternatives for a year and a half, and chose a Local Improvement District as the best approach. To do justice to that task force recommendation and to our own past commitment to standing by the LID until its practicality is clear, I feel strongly that we should keep the existing LID until we can determine in the 1981 Legislative session whether it is a viable approach to the problems on Johnson Creek.



DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
P. O. BOX 2946
PORTLAND, OREGON 97208

NPPEN-PL-2

10 December 1980

Mr. Rick Gustafson,
Executive Officer
Metropolitan Service District
527 S.W. Hall Street
Portland, OR 97201

RECEIVED
DEC 12 1980

METRO SERVICE DISTRICT

Dear Mr. Gustafson:

Portland District's fiscal year (FY) 1981 appropriations contained an allocation of \$180,000 for the Johnson Creek flood control project. These funds are for continuation of our cooperative planning efforts with Metropolitan Service District (MSD) to resolve flooding problems in the Johnson Creek Basin.

To insure that these funds will be effectively utilized during the coming FY, we are in the process of drafting a tentative schedule for study activities. However, we cannot schedule our activities until we have some idea as to when the issues surrounding the proposed formation of a local improvement district will be resolved and MSD resumes its active role as the sponsoring agency.

We would appreciate an early response to the foregoing. If you have any questions, please contact Eugene Pospisil, 221-6480.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert P. Flanagan".

ROBERT P. FLANAGAN
Chief, Engineering Division



METROPOLITAN SERVICE DISTRICT
527 S.W. HALL ST., PORTLAND, OR. 97201, 503/221-1646

MEMORANDUM

Date: December 15, 1980
To: Coordinating Committee
From: Executive Officer
Regarding: Recommendations on NARC 1981
Washington Priorities

In response to a Council request, the following is a staff recommendation on items which should be endorsed as the major priorities for NARC's Washington activities in 1981. This survey was taken from all internal department and division heads and Executive Management.

The list of priorities recommended, identified by NARC designation number, is:

- 1) Integrated Environmental Planning
- 4) Air and Water Appropriations
- 5) Solid Wastes
- 11) A-95 Review
- 15) Economic Development
- 16) HUD 701 Comprehensive Planning Program
- 20) Transportation Appropriations

It was suggested by at least one Councilor that "urban drainage" be added to the list of priorities. The likelihood of securing specific funding or new legislation in this area is very slight.

The proposed list represents a balance between programmatic and agency-wide concerns. NARC's concentration on these areas would continue the programs which the Council has established.

RG:DUK:cw

Metropolitan Service District

527 SW Hall Portland, Oregon 97201 503/221-1646

Memorandum

Date: April 22, 1980

To: Happy Valley Planning Department, Attn: Benkendorf - Evans Ltd.

From: Michael V. Butts, Plan Review

Subject: Draft Review of City of Happy Valley's Comprehensive Plan

Following is a summary of recommended amendments for the Happy Valley comprehensive plan as discussed at our March 26, 1980 meeting. This summary is based on a goal-by-goal format with numbers referring to the "Metro Plan Review Manual" checklist worksheets.

All deficiencies of either the comprehensive plan policy or background information have been noted. While the list is extensive, most issues can be resolved relatively easily. For your reference, all changes or additions to policies are noted with a "P." Clarification of or additions to background data are indicated with a "T."

Items of regional concern have been noted with an "*", and those of regional concern and essential for affirmative recommendation for acknowledgment by Metro have been noted with a "**." For all remaining items we urge the City to contact DLCD for determination of compliance significance and direction for resolving identified inadequacies.

Review of the implementing measures will be conducted as part of our ordinance review process.

O. General Requirements

The following items have been identified as missing from your comprehensive plan package and will have to be submitted for compliance acknowledgment by LCDC:

- **0.1.2 Zoning ordinance and map
- **0.1.3 Subdivision ordinance and other implementing measures
- 0.1.5 The list of supporting documents is a list of those background reports, special studies, etc., which have not been included with plan documents submitted for acknowledgment (see the compliance

acknowledgment rule in Section III of the Plan Review Manual and Goal #2 language). This list can be included in a letter of submittal and need not be in the plan itself, although the latter is preferable.

0.1.7. While the plan lists the Citizens' Advisory Committee (CAC) members, the Committee for Citizen Involvement (CCI) and its Chairperson should be listed as well.

**0.1.8. An Urban Planning Area Agreement with Clackamas County must be submitted with the plan. The County has developed an abbreviated version for "city limits" plans which will meet the intent of this requirement (Re: cities of Rivergrove and Johnson City).

**0.1.9. The "Plan Review and Amendment Provisions," p. 3, of the plan are not adequate to meet this requirement. An additional paragraph containing the necessary "Opening Language" should be included. (See Metro Plan Review Manual, Section III, E for sample language.)

Goal #1 Citizen Participation

1.6 The City should assure that the CCI/CAC are involved in any of the final revisions of the plan. Ideally, the CCI should submit its most recent evaluation of the Citizens Involvement Program. The evaluation should address each of the six goal requirements identified in Goal #1. (T)

Goal #2 Land Use Planning

**2.1.2 As you have indicated, the zoning and subdivision ordinances are being amended to implement all applicable plan policies.

To demonstrate that you have addressed all inventory requirements of the various goals, you should include a "disclaimer," listing all the resources and hazards which are not present in the City and for which, therefore, inventory requirements do not apply.

Following is our list of inventory requirements which appear not to apply to the City:

5.1.2	Mineral and Aggregate Resources
5.1.3	Energy Sources
5.1.8	Wilderness
5.1.10	Cultural Areas
5.1.12	Scenic Waterways
8.1.1.3	Archeological Sites
8.1.1.8	Hunting
8.1.1.10	Winter Sports
12.1.1.5	Water
12.1.1.8	Pipeline

**2.2.2.1 See 0.1.8 above.

Goal #3 Agricultural Lands

Although Goal #3 is not applicable to lands within the Metro Urban Growth Boundary (UGB), it is not inappropriate for the City to develop policy to maintain agricultural lands as an interim land use to urban level development.

The Happy Valley Plan states: "Policy 45: Because all land is within the incorporated urban limits of the city of Happy Valley all land has been designated 'urban,' but may be zoned and used for agricultural purposes until such time as public need is demonstrated for conversion to urban development."
(p. 45)

It is appropriate for the City to allow existing zoning (e.g., agriculture use) to be left in place until a zone change is requested. This process, however, assumes that public need and the alternative location criteria will have been met by acknowledgment of Metro's UGB and adoption and (future) acknowledgment of the City's plan (Newberger v. City of Portland). Therefore, Policy 45 should be amended to strike the requirement of "public need is demonstrated for conversion to urban development."

Finally, it is important that Happy Valley monitor closely the Milwaukie acknowledgment request presently before LCDC. LCDC may determine that, since Milwaukie is relying on upzoning over time to meet their housing needs, the City must have policy to this effect, justify it and have clear and objective approval standards for zone changes. If LCDC rules in this direction, Happy Valley will need to make the applicable findings and amendments (T and P).

Goal #4 Forest Lands

4.1.4 While policy 14, p. 31 states: "Forest lands shall be inventoried to provide for forest preservation"; the plan discussion on p. 24, "Vegetation," together with the plates entitled "Vegetation and Drainage" (p. 25) and "Natural Features" (p. 30), are adequate to meet the basic inventory requirements of Goal #4.

**We assume Policy 18 does not suggest establishment of an actual forest classification (or zone) for commercial harvesting.

"Policy 18: Establish forest classification as a land use subject to regulations of the Comprehensive Plan and other ordinances." (p. 32)

If a forest classification of land use is established for preservation on a non-commercial harvest basis, we would expect this classification to conform to the plan's "existing wood lands" inventory. Further, we would expect some form of compensation such as a density transfer or City purchase of land, or if established as an overlay zone, adequate implementing measures such as site design and layout standards (see 5.2.2. below for further discussion). (T and P)

*4.3 Metro will review the City's implementing measures for forest lands upon their completion and submittal.

Goal #5 Open Space, Scenic and Historic Areas and Natural Resources

5.1.9 Historic areas have not been addressed in the plan. If none exists, a "disclaimer" statement to this effect should be included. (T and P)

**5.2.2 Policies which prohibit development or require land dedication to the City should be analyzed in terms of their economic, social, environmental and energy consequences. This discussion should be included in the plan. (T)

5.2.3.2 Where conflicting uses are allowed, they should be permitted only if justified by an analysis of the economic, social, environmental and energy consequences. This analysis should be included in the plan. (T)

**5.2.4 There are numerous instances where the Land Use Plan is not consistent with the "Composite Development Suitability" map on p. 28. Of particular concern are areas designated 1-5

units/acre yet have high-moderate to high suitability for development. This is especially pertinent to the buildable lands inventory discussed under Goal #10 (Housing). (T and P)

Goal #6 Air, Water and Land Resources Quality

6.1.1.2 The plan contains a very limited discussion on air quality. We suggest your discussion be expanded to include the identification of pollution sources.

**6.1.1.4 and 6.2.1.1 The plan should be updated to reflect the findings of the State Implementation Plan (SIP), especially noting that the Metro area is a non-attainment area for ozone. Further, specific policy should be included identifying the City's willingness to cooperate with Metro and DEQ in resolving air quality problems (see Plan Review Manual, Section III-D, Sample Language). (T and P)

*6.1.2 The plan should address water quality, for both surface and groundwater. Threats to water quality including existing and potential violations of state and federal standards should be identified. Please refer to item 11.1.1. of this review for a more specific discussion of this issue. (T)

6.1.4. Existing and potential noise problems must be identified. A review of the DEQ Handbook for coordinating land use with environmental quality concerning non-compatible uses may prove helpful. Finally, the plan and implementing measures should provide a coordination mechanism to ensure adherence to the DEQ noise standards. (T).

**6.2.1 Policy 28, states:

"Discourage development which would have a significant detrimental impact on environmental resources of the area."

This policy should be revised as it could be arbitrarily applied to any proposed development. We would assume conflicting uses were considered when the Land Use Plan, natural resources policies and implementing measures were/are being developed. (P)

**6.2.1.2 and 6.2.1.3 While plan policies appear adequate for local concerns, Metro is requesting further policy development on air and water quality. Specifically, we require policy recognizing Metro's role in air and water quality and indicating the City's willingness to cooperate with Metro. (See Plan Review Manual, Section III-D, Sample Language.) (P)

Goal #7 Areas Subject to Natural Hazards

The factual base/inventory and policy appear adequate, although Policy 13 should be revised. Engineering studies, application of Chapter 70 of the Uniform Building Code or similar implementing measures should be required rather than "encouraged" in known hazard areas. (P)

**7.2.1 It is our understanding that the City has adopted the "Johnson Creek Guidelines." A discussion to this effect and its purpose should be included in the plan. Since Happy Valley does not expect to submit for acknowledgment before July, the City's implementing measure must be adequate to carry out the Guidelines before submittal. (See enclosed "Guidelines") (T)

Goal #8 Recreational Needs

8.1.1.3 As indicated under Goal #5 of this review, historic, archeological and scenic resources should be addressed. (T)

8.1.1.6 through 8.1.1.10 These criteria items have not been addressed in Happy Valley's plan and should be included. For those resources and activities that are not present in the City and for which, therefore, inventories are not required, a "disclaimer" statement to this effect should be included. (T)

8.2.1 An analysis of recreational needs, both existing and future, should be developed. Normally, need has been identified by population per park acre ratio compared with nationally accepted standards. Attached are excerpts from the city of Milwaukie's plan which may provide some guidance in determining Happy Valley's recreational need. (T)

8.2.2 It is not evident from the plan that an analysis of alternatives for recreational facility development was conducted, considering quantity, quality, location, role of the private sector and coordination with federal and state plans. We would encourage the City to expand its "Parks and Recreation" section of the plan to include a summary of this analysis. (T)

8.2.5 and 8.2.6 Plan policies for recreation appear adequate, but this cannot be substantiated until the needs and alternatives analyses are completed.

Goal #9 Economy of the State

9.1. While the plan does provide an adequate description of the existing economic base (p. 9 and 45), it does not identify

the potential for economic development. This potential can be determined through an analysis of under-utilized human and natural resources, market forces, transportation, land availability and more. On a cursory review of Happy Valley's existing and projected population and planned land use, one would conclude there is need, either now or in the near future, for at least one or more convenience shopping facilities. (T and P) Policy 53 states "To improve the economy of Happy Valley." How can this be accomplished without allowing commercial or industrial development? (P)

9.2.1 Once the opportunities and constraints to economic development are identified, an analysis of the economic growth alternatives should be prepared. The City's conclusion may be that the alternative selected is to rely on economic enterprises outside the City. This could be completely appropriate; however, this alternative must be justified through an analysis of economic opportunities and development alternatives. Policy should be clarified to be consistent with the land use plan (i.e., not to improve the economy of Happy Valley, but rather rely on outlying areas for economic development). (T and P)

Goal #10 Housing

**10.2.1 and 10.2.1.1 While the plan does establish five land suitability classes and five proposed density categories, the relationship between each suitability class to a density designation has not been adequately justified. Nor has this relationship been consistently applied.

We are particularly concerned that: (1) almost half the City's buildable land has been zoned for five-acre lots. This density is far below acceptable urban level development standards and, therefore, highly questionable without substantial justification. Unless this low density designation can be adequately justified, a more intense use of the land is required; (2) a comparison of the map of constrained areas with the proposed land use map indicates a number of areas rated with "little or no constraint" to development, yet planned for densities lower than two units an acre. Also, some areas rated as "severely constrained" are planned for densities higher than two units an acre; and (3) total acres in each constraint class, (as shown in the Discussion Draft of Land Use Plan Alternatives, p. 16), do not correspond closely with total acres in each density class (Plan, p. 44). Finally, the number of acres rated as unbuildable due to steep slopes has been increased by 220 acres. This increase requires an explanation. For clarity, unbuildable land should be assigned its own, sixth, building suitability rating.

We recognize that an exact correspondence between land suitability ratings and proposed densities is unlikely, since other factors (such as the feasibility of serving small pockets of higher density with roads and sewers) can and should be considered. However, proposed densities should be explained either in terms of direct development constraints or in terms of the impact of and rationale for other such locational factors.

The plan should be revised to designate land use densities consistent with the following guidelines:

1. All buildable land designated for at least one unit per acre (UNA);
2. All buildable land with "low moderate" or better building suitability (unless demonstrated to be physically unfeasible to sewer) designated for at least two UNA; and
3. All land with the highest building suitability designated for a minimum of six UNA with provisions for development at substantially higher densities (e.g., 12 UNA) as would be justified through a discussion of Happy Valley's role in meeting the regional housing need (see 10.2.2.3 below).

Variations from these guidelines should occur only where the small size and isolated location of an area with a "low moderate" to "high" building suitability rating can be shown to make efficient service provision impossible or where existing development patterns preclude efficient redevelopment. Revised density designations should be summarized in a table showing the amount both of vacant land and of developed land averaging less than one UNA by building suitability class for each density designation. (T and P)

****10.2.2** Since the City is projecting a household size different than the average projected for the region (3.3 persons/unit as opposed to 2.5 persons/unit for the region), some justification is needed. The City could compare today's variation with the regional average and thus justify a similar variation for the year 2000. Clackamas County's proposed plan has taken a similar exception to the regionwide household size average. We suggest the City review this section of the County's Plan. (T)

****10.2.2.3** The plan should contain a discussion of Happy Valley's role in meeting the regional housing need. There is quite a lengthy discussion on density and the regional perspective, yet the plan lacks discussion on the anticipated regional

housing mix by the year 2000. We suggest the City review Metro's UGB Findings on this subject and include a summary of the City's regional role in the plan. (T)

**10.2.3 The City does have an obligation to provide for a flexibility of lower-cost housing alternatives, particularly in unconstrained areas. Two ways to provide such flexibility are: (1) PUD provisions which provide clear and objective standards for the incorporation of multiplexes in new developments at the average overall density provided for; and (2) The designation of areas suitable for mobile home parks (if any) or (if none) provisions for mobile homes as secondary units on individual lots. Whatever approach the City chooses, the plan should include policy on where and how it will provide for multi-family housing, and ordinances to implement this policy should be adopted by the City's compliance date. (T and P)

**10.2.5 Before Metro can determine whether buildable lands are made available, a detailed sewerage plan will need to be completed. Further, policy should be included stating that sewers will be required for all development in the areas planned for two UNA or greater. (T and P)

Goal #11 Public Facilities and Services

**11.1.1. The City must complete Step 1 (sewerage treatment alternative selected) and Step 2 (sewer system planned) before acknowledgment.

Metro's affirmative recommendation to LCDC on Happy Valley's request for an extension was premised on the understanding that the City would strengthen its plan policy on sewer provision and complete a sewer plan prior to acknowledgment.

Metro's progress review of Happy Valley's comprehensive planning effort of February 13, 1979, (to Wes Kvarsten, Director of DLCD), and again on March 12, 1980, (recommendation on the City's request for extension to DLCD) documents Metro's intent to require completion of a sewer plan before the City can be acknowledged.

Language on p. 57, paragraph 1 of the plan, suggests that Step II will include designing a sewage collection and disposal system. We would anticipate that the City consider Clackamas Service District #1 as an alternative service provider under Step I as their system has been built and designed to serve Happy Valley. (T and P)

11.1.2.2 and 11.1.1.3 While it is stated that the Mt. Scott Water District serves about 1,300 homes, the current and projected capacity (at least for the next three to five years) should be identified. Any problems anticipated or existing which may prohibit meeting the projected need should be discussed as well. (T).

**11.1.3.2 and 11.1.3.3 Given that Happy Valley will continue to develop and thus generate more stormwater runoff, an evaluation of the existing storm drainage system should be developed. Essentially, this analysis should establish whether the existing natural drainage ways and roadside ditches are able to handle future growth. Policy 68 references "sewer problems" which should be addressed in the plan. (T)

**11.1.3.4 As indicated above, a storm drainage plan should be developed and submitted with the plan. (T)

*11.1.5.1 A discussion of Metro's role in solid waste disposal planning and siting should be included in your discussion on p. 57. (T)

**11.2 Policy must be included recognizing Metro's responsibility for operating, planning and regulating waste water systems as defined by Metro's Waste Treatment Management Component and "208." (See Metro's Plan Review Manual, Section III, Sample Language). Also, Policy must be included that recognizes and supports Metro's role in solid waste management. (See Sample Language) (P)

Policy 69 references "The Facilities Plan." If this is a separate document, it should be submitted or basic findings summarized. We would also caution you that the extension of services to lands outside of the City limits must be limited to lands within the UGB. (T or P)

Goal #12 Transportation

*12.2.1 As we discussed, the City is developing a more detailed transportation analysis. At a minimum, the most recent average daily traffic counts (within the last five years) for major roadways should be included in this analysis report. Further, any existing or anticipated problems should be briefly identified. (T)

12.2.1.1 An identification of existing transportation services and needs for the transportation disadvantaged should be included. (T) Also, at a minimum, policy should be developed supporting cooperation with Metro and Tri-Met on implementation of the Special Transportation Plan. (P)

*12.2.2.1 The Transportation Section of Metro has reviewed the City's Transportation element and offers the following comments:

1. The functional classification of Mt. Scott Blvd. conflicts with the City of Portland's designation. Happy Valley designates it a minor arterial and Portland, a neighborhood collector. According to Metro's current policy, such conflicts are to be resolved in the near future as part of the Regional Transportation Plan (RTP) process.
2. The Tri-Met 1985 Transit Development Plan (TDP) designates Mt. Scott Blvd. as a local transit line but this is not reflected in the submitted City plan.
3. No east/west arterial facility has been designated. Clackamas County is proposing Idleman Rd. to serve this function. We urge the City to contact Clackamas County on this issue.

In conclusion, the submitted plan appears complete and in good order, excepting the issues raised above.

12.2.3. Finally, a brief summary of alternative solutions considered in terms of the social, economic, environmental and energy impacts should be included in the plan. (T)

Goal #13 Energy Conservation

13.2. The plan contains a good set of energy conservation policies. We recommend the background discussion on p. 58 be expanded to include information from the "CRAG Regional Energy Analysis," Report 2, 1977 (see attached excerpts). (T)

Goal #14 Urbanization

**14.2.2.1 The regional UGB should be identified on the City's Land Use Map. (T)

**14.2.2.2 Policy 69 should be amended to recognize the requirement to make application to Metro for all amendments to the UGB. Policy should also state that public facilities and services will not be extended beyond the UGB. (P)

*14.2.3.1 It is our understanding that all lands within the City limits are presently designated immediate urban and, therefore, need not provide policies for conversion of lands from future to immediate urban.

Memorandum
April 22, 1980
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As a final note, you are aware of Clackamas County's request to amend Metro's UGB. Depending on the final decision on this request, Metro may require specific amendments to Happy Valley's plan (e.g., policy regarding the extension of sewer lines for the unincorporated "urban" area just east of the City; re: items 0.1.8 and 11.2 of this review). We will be in contact with the City in the near future regarding this matter.

MB:ss
7410/116

cc: Eldon Hout, DLCD
Linda Macpherson, DLCD
Ardis Stevenson, Clackamas County
Tom O'Connor, Metro Coordinator
Sue Klobertanz, Metro Coordinator

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF DECLARING) RESOLUTION NO.
COUNCIL INTENT ON JOHNSON CREEK)
LOCAL IMPROVEMENT DISTRICT) Recommended by the
) Executive Officer

WHEREAS, Metro entered into a series of activities which were intended to lead to a solution to the problems connected with drainage and flooding in the Johnson Creek Basin; and

WHEREAS, The members of the Metro Council and numerous citizens have expressed concerns about the particular institutional mechanisms chosen and its impact on many of the people in the Johnson Creek area; and

WHEREAS, The Metro Council in a number of recent discussions has indicated that it would not proceed with the implementation of the currently adopted ordinance; and

WHEREAS, It is important that Council intent is made quite clear and is understood by the citizens in the region and, particularly, in the Johnson Creek Basin; now, therefore,

BE IT RESOLVED,

1. That the Metro Council will take no action on Ordinance No. 80-91 (adopted June 27, 1980) which established the Johnson Creek Local Improvement District (LID) until after the Oregon Legislature has finished its 1981 regular session.

2. That Metro will abide by the provisions of new legislation, if any, regarding LIDs.

3. That Metro will continue to support the U. S. Corps of Engineers efforts related to Johnson Creek and will as far as

possible retain its active role as the sponsoring local agency.

4. That the Metro Council will provide for a supplemental appropriation of \$5,000 during its mid-year budget review in order to enable Metro staff to participate with community groups in their activities concerning the Johnson Creek Basin.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 19__.

Presiding Officer

WM/gl
1458B/188